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Board of Supervisors
Sunshine Ordinance Task Force

January 11, 2005

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San Francisco

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
AGENDA

Tuesday, January 11, 2005
4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Alexandra Nickliss; David Parker

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of December 14, 2004 (action item)

2. 05004 Determination of jurisdiction of complaint of Cheryl Brinkman, Pat Christensen, and Sue Vaughn against the Golden Gate Park Concourse Authority regarding alleged failure provide documents prior to a meeting. (action item)

3. 05005 Determination of jurisdiction of complaint of Joseph Engler against the San Francisco Police Department regarding alleged failure to produce complete records. (action item)

4. 05006 Determination of jurisdiction of complaint of an Anonymous Person against the Ethics Commissi regarding alleged failure to properly notice a meeting.

(action item)

5. 05007 Discussion and possible revision of the Public Complaint Procedures.

(action item)

6. Future agenda items (discussion item)

7. Public Comment for items not listed on agenda. (discussion item)

Adjournment

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

THE AGENDA PACKET IS AVAILABLE FOR REVIEW

MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1. Complainant presents his/her facts and evidence 5 minutes

Other parties of Complainant presents facts & evidence Up to 3 minutes each

2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

MINUTES

Tuesday, January 11, 2005
4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Alexandra Nickliss

Call to Order: The meeting convened at 4:07 p.m.
Roll Call: Present: Cauthen, Nickliss
Agenda Changes: none.

1. Approval of minutes of December 14, 2004 (action item)

   Motion to approve. (Nickliss/Cauthen)
   Ayes: Nickliss, Cauthen

2. 05004 Determination of jurisdiction of complaint of Cheryl Brinkman, Pat Christensen, and Sue Vaughn against the Golden Gate Park Concourse Authority regarding alleged failure to provide documents prior to a meeting. (action item)

   Speakers: Pat Christensen, complainant; Sue Vaughn, complainant; Cheryl Brinkman, complainant; Katherine Roberts, Bruce Wolfman; Pinkie Cushner; David Pilpel, member, SOTF; Mike Elzay, Department Representative, Golden Gate Park Concourse.

   Motion to grant determination of jurisdiction. (Nickliss/Cauthen)
   Ayes: Nickliss, Cauthen

3. 05005 Determination of jurisdiction of complaint of Joseph Engler against the San Francisco Police Department regarding alleged failure to produce complete records. (action item)

   Speakers: Joseph Engler, complainant; David Pilpel, member, SOTF.

   Motion to grant determination of jurisdiction. (Nickliss/Cauthen)
   Ayes: Nickliss, Cauthen

4. 05006 Determination of jurisdiction of complaint of an Anonymous Person against the Ethics Commission regarding alleged failure to properly notice a meeting. (action item)

Speakers: Marc Salomon; John St Croix, Director, Ethics Commission.

Motion to grant determination of jurisdiction. (Nickliss/Cauthen)
Ayes: Nickliss, Cauthen

5. 05007 Discussion and possible revision of the Public Complaint Procedures. (action item)

Motion to continue. (Nickliss/Cauthen)
(Ayes: Nickliss/Cauthen

6. Future agenda items (discussion item)

7. Public Comment for items not listed on agenda. (discussion item)

Speakers. None.

Adjournment The meeting adjourned at 4:58 p.m.

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Board of Supervisors
Sunshine Ordinance Task Force

February 8, 2005

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

AGENDA

Tuesday, February 8, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Alexandra Nickliss

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

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Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of January 11, 2005 (action item) (attachment)

2. 05009 Determination of jurisdiction of complaint of Curtis Eisenberger and Fred Snyder against the San Francisco Planning Department regarding alleged failure produce complete records. (action item) (attachment)

3. 05010 Determination of jurisdiction of complaint of Ben Rosenfeld against the San Francisco Sheriff's Department regarding alleged failure to produce complete records. (action item) (attachment)

4 05007 Revision of the Public Complaint Procedures.

(Proposed continuance to March 8, 2005 meeting) (action item) (no attachment)

5. Future agenda items (discussion item) (no attachment)

6. Public Comment for items not listed on agenda. (discussion item)

Adjournment

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1. Complainant presents his/her facts and evidence 5 minutes

Other parties of Complainant presents facts & evidence Up to 3 minutes each

2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

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Board of Supervisors
Sunshine Ordinance Task Force

February 8, 2005

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SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEEMINUTES

Tuesday, February 8, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Alexandra Nickliss

Call to Order: The meeting convened at 4:00 p.m.

Roll Call: Present: Cauthen, Nickliss

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Agenda Changes: none.

1. Approval of minutes of January 11, 2005.

   Motion to approve. (Nickliss/Cauthen)

   Ayes: Nickliss, Cauthen

2. 05009 Determination of jurisdiction of complaint of Curtis Eisenberger and Fred Snyder against the San Francisco Planning Department regarding alleged failure to produce complete records.

   Speakers: Fred Snyder, complainant; Curtis Eisenberger, complainant; Johnny Jaramillo, Plannii Department; Anthony Imperial (via phone).

   45-day action deadline waived verbally by complainant.

   Motion to grant determination of Jurisdiction. (Nickliss/Cauthen)

   Ayes: Nickliss, Cauthen

3. 05010 Determination of jurisdiction of complaint of Ben Rosenfeld against the San Francisco Sheriff's Department regarding alleged failure to produce complete records.

   Speakers: Ben Rosenfeld, complainant; David Pilpel, member, Sunshine Task Force.

   Motion to grant determination of jurisdiction. (Cauthen/Nickliss)

		Ayes: Nickliss, Cauthen
4.	05007	Revision of the Public Complaint Procedures.
		Motion to continue to a future date. (Cauthen/Nickliss)
		Ayes: Nickliss, Cauthen
5.		Future agenda items. (discussion item) (no attachment)
		None.
6.		Public Comment for items not listed on agenda. (discussion item)
		None.

Adjournment The meeting adjourned at 5:05 p.m.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

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Board of Supervisors
Sunshine Ordinance Task Force

March 8, 2005

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SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
AGENDA

Tuesday, March 8, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Heather Sterner

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of February 8, 2005 (action item) (attachment)

2. 05011 Determination of jurisdiction of complaint of Dr. Ahimsa Porter Sumchai against (1) Supervisor Sophie Maxwell for alleged use of Committee Report format to block item by item analysis and restricting public comment and (2) CCSF contractor Lennar Developers for blocking radio access a public hearing of the Redevelopment Commission CAC on 9/18/04. (action item) (attachment)

3. 05013 Determination of jurisdiction of complaint of Joseph Engler against the San Francisco Police Department regarding alleged willfully refusing to provide public documents. (action item) (attachment)

4. 05007 Discussion for a continuance of the revision of the Public Complaint Procedures.

(action item) (no attachment)

5. Future agenda items. (discussion item) (no attachment)

6. Public Comment for items not listed on agenda. (discussion item)

Adjournment Next Regular Meeting April 12, 2005

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

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MINUTES

Tuesday, March 8, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Heather Sterner

Call to Order: The meeting convened at 4:18 p.m.
Roll Call: Present: Cauthen, Sterner
Agenda Changes: Meeting moved to Room 416

Deputy City Attorney: Ernie Llorente
Committee Clerk: Victor Young

1. Approval of minutes of February 8, 2005

   Motion to approve the minutes. (Cauthen/Sterner)
   Ayes: Cauthen, Sterner

2. 05011 Determination of jurisdiction of complaint of Dr. Ahimsa Porter Sumchai against (1) Supervisor Sophie Maxwell for alleged use of Committee Report format to block item by item analysis and restricting public comment and (2) CCSF contractor Lennar Developers for blocking radio access to a public hearing of the Redevelopment Commission CAC on 9/18/04.

   Speakers: Dr. Ahimsa Porter Sumchai, complainant
   David Pilpel, member of the Sunshine Ordinance Task Force speaking under Public Comment

   Regarding the complaint against the CCSF contractor, Lennar Developers alleged blocking radio access to a public hearing of the Redevelopment Commission CAC on 9/18/04, it was determined the SOTF does not have jurisdiction over this and has requested the SOTF Administrator follow-up with CAC regarding a letter sent by CAC Chair, Scott Madison to Mr. Roy Willis, inquiring about the circumstances surrounding the matter.

   Motion to grant jurisdiction for alleged inadequate proper noticing of the December 6, 2004 Land Use Committee meeting pertaining to the 14 items relating to the

Hunters Point Shipyard; and inadequate public comment. (Cauthen/Sterner)
Ayes: Cauthen, Sterner.

3. 05013 Determination of jurisdiction of complaint of Joseph Engler against the San Francisco Police Department regarding alleged willfully refusing to provide public documents.

Speakers: Joseph Engler, complainant
David Pilpel, member of the Sunshine Ordinance Task Force speaking under Public Comment

Motion to grant jurisdiction. (Sterner/Cauthen)
Ayes: Cauthen, Sterner.

4. 05007 Discussion for a continuance of the revision of the Public Complaint Procedures.

Motion to continue to a future date. (Cauthen/Sterner)
Ayes: Cauthen, Sterner.

5. Announcements, questions, and future agenda items from the Committee members.

No action.

6. Public Comment for items not listed on agenda.

Speakers: None.

Adjournment: The meeting adjourned at 5:24 p.m.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

AGENDA

Tuesday, April 12, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Heather Sterner

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of March 8, 2005. (action item) (attachment)

2. 05007 Discussion of the revision of the Public Complaint Procedures. (discussion and possible action item) (Cauthen)

3 Discussion of Sunshine Ordinance Task Force 2004 Annual Report. (discussion and possible action item) (attachment)

4. Announcements, questions, and future agenda items from the Committee members. (no attachment)

5. Public Comment for items not listed on agenda.

Adjournment **Next Regular Meeting May 10, 2005**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

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SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

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Minutes

Tuesday, April 12, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Heather Sterner, David Pilpel

Call to Order: The meeting convened at 4:15 p.m.
Roll Call Present: Cauthen, Pilpel, Sterner (arrived 4:31 p.m.)
Agenda Changes: Meeting moved to Room 408

Deputy City Attorney: Ernie Llorente
Committee Clerk: Adele Destro

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1. Approval of minutes of March 8, 2005.

Discussion regarding adding a brief description of policy discussion and speaker topic during public comment to the minutes.

Motion to approve the minutes. (Cauthen/Pilpel)
Ayes: Cauthen, Pilpel

2. 05007 Discussion of the revision of the Public Complaint Procedures.

Motion to send the revised complaint procedure to the full Task Force. (Pilpel/Cauthen)
Ayes: Cauthen, Sterner, Pilpel

Public Comment: Speakers none.

3 Discussion of Sunshine Ordinance Task Force 2004 Annual Report. (discussion and possible action item) (attachment)

Members recommended changes to the 2004 Annual Report including pagination, narratives for each accomplishment, add complaint log in accomplishments, and eliminating addenda 1,3 & 4.

Public Comment: Speakers none.

4. Announcements, questions, and future agenda items from the Committee members. (no attachment)
No action.

5. Public Comment for items not listed on agenda.

Speakers: None

Adjournment: The meeting adjourned at 5:15 p.m.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Board of Supervisors
Sunshine Ordinance Task Force

May 10, 2005

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SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
AGENDA

Tuesday, May 10, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Heather Sterner; David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of April 12, 2005. (action item) (attachment)

2. 05015 Hearing on the complaint filed by John Darmanin against the SF Fire Commission for alleged refused public comment.

   (discussion and possible action item) (attachment)

3. 05016 Hearing on the complaint filed by John Darmanin against the SF Fire Commission for alleged lim public comment on an agenda item.

   (discussion and possible action item) (attachment)

4. 05017 Hearing on the complaint filed by John Kelly against the Office of the Treasurer/Tax Collector for alleged wrongfully and unlawfully failing to produce the requested information, records, written communications and memoranda.

(discussion and possible action item) (attachment)

5. Discussion of SFGTV removal of the Building Inspection Commission April 4, 2005 meeting from Video on Demand, on-line access.

(discussion and possible action item) (Cauthen) (no attachment)

6. Public comment for items not listed on the agenda.

(no action) (no attachment)

7. Announcements, questions, and future agenda items from the Committee

members. (no attachment)

Adjournment Next Regular Meeting June 14, 2005

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

THE AGENDA PACKET IS AVAILABLE FOR REVIEW

MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

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his/her time.

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Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, May 10, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Heather Sterner; David Pilpel

Call to Order: 4:00 p.m.
Roll Call: Present: Cauthen, Sterner, Pilpel (arrived at 4:04 p.m.)
Agenda Changes: None

Deputy City Attorney: Ernie Llorente
Clerk: Annette Lonich

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1. Approval of minutes of April 12, 2005.

   Speakers: None
   Motion to approve. (Cauthen/Sterner)
   Ayes: Cauthen, Sterner
   Absent: Pilpel

2. 05015 Hearing on the complaint filed by John Darmanin against the SF Fire Commission for alleged refused public comment.

   Speakers: John Darmanin, complainant

   Motion adopted approving jurisdiction on the complaint filed by John Darmanin against the SF Fire Commission for alleged refused public comment. (Pilpel/Sterner)
   Ayes: Cauthen, Sterner, Pilpel

3. 05016 Hearing on the complaint filed by John Darmanin against the SF Fire Commission for alleged limited public comment on an agenda item.

   Speakers: John Darmanin, complainant, Fire Commissioner Goldman spoke on the SF Fire Commission 3/24/05 meeting.

   Motion adopted approving the jurisdiction on the complaint filed by John Darmanin against the Fire Department for alleged seriatim meeting rule by the Chair and two

other members of the Commission and for the Task Force to review the current practice of terminating discussions of Commission members prior to a vote. (Cauthen/Pilpel)

Ayes: Cauthen, Sterner, Pilpel

4. 05017 Hearing on the complaint filed by John Kelly against the Office of the Treasurer/Tax Collector for alleged wrongfully and unlawfully failing to produce the requested information, records, written communications and memoranda.

Speakers: John Kelly, complainant, and David Augustine, Treasurer's Office representative.

Motion adopted approving jurisdiction on the complaint filed by John Kelly against the Office of the Treasurer/Tax Collector for alleged wrongfully and unlawfully failing to produce the requested information, records, written communications and memoranda. (Sterner/Cauthen)

Ayes: Cauthen, Sterner, Pilpel

5. Discussion of SFGTV removal of the Building Inspection Commission April 4, 2005 meeting from Video on Demand, on-line access.

Discussed draft letters to DHR and DTIS.
Speakers: None.

6. Public comment for items not listed on the agenda.

Speakers: None.

7. Announcements, questions, and future agenda items from the Committee members.

Member Pilpel spoke on the complaint procedure.

Adjournment **Meeting adjourned at 5:16 p.m.**

Board of Supervisors
Sunshine Ordinance Task Force

June 14, 2005

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SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
AGENDA

Tuesday, June 14, 2005
4:00 p.m., City Hall, Room 278

Committee Members: Sue Cauthen, Chair; Heather Sterner; David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of May 10, 2005. (action item) (attachment)

2. 05018 Determination of jurisdiction of complaint filed by John Darmanin against the SF Fire Commiss for alleged denial of public comment on an item not agendized.

(action item) (attachment)

3. 05019 Determination of jurisdiction of complaint filed by John Kelly against the SF Police Department

(action item) (attachment)

4. 05020 Determination of jurisdiction of complaint filed by John Kelly against the Controller's Office for a

(action item) (attachment)

5. Public comment for items not listed on the agenda.

(no action) (no attachment)

6. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment Next Regular Meeting July 12, 2005

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

THE AGENDA PACKET IS AVAILABLE FOR REVIEW

MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

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Other parties of Complainant presents facts & evidence Up to 3 minutes each

2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

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Board of Supervisors
Sunshine Ordinance Task Force

June 14, 2005

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SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
MINUTES

Tuesday, June 14, 2005
4:00 p.m., City Hall, Room 278

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Committee Members: Sue Cauthen, Chair; Heather Sterner; David Pilpel

Call to Order: The meeting convened at 4:05 p.m.

Roll Call Present: Cauthen, Sterner, Pilpel

Agenda Changes: Item #4, should read, "Determination of jurisdiction of complaint filed by John Kelly against the Controller's Office for alleged *failure to respond to* request for request clarification and supplemental records.

Deputy City Attorney: Ernie Llorente

Committee Clerk: Annette Lonich

1. Approval of minutes of May 10, 2005.

   Speakers: None

   Motion to approve the minutes. (Sterner/Pilpel)

   Ayes: Cauthen, Sterner, Pilpel

2. 05018 Determination of jurisdiction of complaint filed by John Darmanin against the SF Fire Commission for alleged denial of public comment on an item not agendized.

   Speakers: none.

   Motion to recommend jurisdiction of this complaint to the full Task Force. (Sterner/Cauthen)

   Ayes: Cauthen, Sterner, Pilpel

Members discussed the need for departments/agencies to attend meeting to narrow the focus of the complaint.

3. 05019 Determination of jurisdiction of complaint filed by John Kelly against the SF Police Department for alleged failure to respond to request for clarification and supplemental records.

Speakers: John Kelly, complainant, spoke in support of the jurisdiction.

Motion to recommend jurisdiction of this complaint to the full Task Force. (Sterner/Cauthen)

Ayes: Cauthen, Sterner, Pilpel

4. 05020 Determination of jurisdiction of complaint filed by John Kelly against the Controller's Office for alleged request for clarification and supplemental records.

Speakers: John Kelly, complainant spoke in support of jurisdiction; Monique Zmuda, Deputy Controller, stated Mr. Kelly had received all the information they had and offered to meet with John Kelly to clarify reports/responses.

Motion to recommend jurisdiction of this complaint to the full Task Force. (Cauthen/Sterner)

Ayes: Cauthen, Sterner, Pilpel

5. Public comment for items not listed on the agenda.

(no action) (no attachment)

Speakers: None.

6. Announcements, questions, and future agenda items from the Committee

members. (no attachment)

Announcements included a request to include Administrator Report; paginate the Complaint Committee agenda.

Adjournment: The meeting adjourned at 5:00 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force.

July 12, 2005

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, July 12, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of June 14, 2005. (action item) (attachment)

2. Staff Report. (no attachment)

3. 05021 Determination of jurisdiction of complaint filed by Richard Midgett against the Controller's Office for alleged failure to provide access to process/verification of funding resources. (action item) (attachment)

4. 05022 Determination of jurisdiction of complaint filed by Micki Jones against the SF Fire Department for alleged refusal to release copies of reports, documentation, and whatever determination as a result of ISB's investigation.
(action item) (attachment)

5. 05023 Determination of jurisdiction of complaint filed by Dr. Nataraj Akkiraju against the Public Utilities Commission for alleged failure to release unredacted 5 pages of requested engineering report. (action item) (attachment)

6. 05024 Determination of jurisdiction of complaint filed by Todd Wallack against the Human Services Agency for alleged refusal to grant access to a completed report.
(action item) (attachment)

7. Public comment for items not listed on the agenda.
(no action) (no attachment)

8. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment Next Regular Meeting August 9, 2005

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

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Board of Supervisors
Sunshine Ordinance Task Force

July 12, 2005

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SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
MINUTES

Tuesday, July 12, 2005
4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Call to Order: The meeting convened at 4:02 p.m.

Roll Call Present: Cauthen, Wolfe, Pilpel

Agenda Changes: Item #3 Continued to the next regular meeting.

Deputy City Attorney: Ernie Llorente

Committee Clerk: Linda Wong

1. Approval of minutes of June 14, 2005.

   Speakers: None

   Motion to approve the minutes. (Pilpel/Wolfe)

   Ayes: Cauthen, Wolfe, Pilpel

2. Staff Report.

   Administrator gave report.

   Speakers: None

3. 05021 Determination of jurisdiction of complaint filed by Richard Midgett against the Controller's Office for alleged failure to provide access to process/verification of funding resources.

   Continued to the next regular meeting without objection.

4. 05022 Determination of jurisdiction of complaint filed by Micki Jones against the SF Fire Department for alleged refusal to release copies of reports, documentation, and whatever determination as a result of ISB's investigation.

Speaker: Lori Kalos, Assistant Deputy Chief, San Francisco Fire Department spoke on the progress of the reports requested by Micki Jones.

Motion to recommend jurisdiction of complaint filed by Micki Jones against the Fire Department for alleged refusal to release copies of records, documentation, and whatever determination as a result of Investigation Service Bureau's investigation. (Pilpel/Wolfe)

Ayes: Cauthen, Wolfe, Pilpel

5. 05023 Determination of jurisdiction of complaint filed by Dr. Nataraj Akkiraju against the Public Utilities Commission for alleged failure to release unredacted 5 pages of requested engineering report.

Speakers: Dr. Nataraj Akkiraju, complainant, spoke in support of jurisdiction; Tony Winnicker, Director of Communications, Public Utilities Commission, spoke on the redacted pages of the engineering report; Paul Mazza, Operations Manager, San SFPUC spoke on the security purposes of the information redacted.

Motion to recommend jurisdiction of complaint filed by Dr. Nataraj Akkiraju against the Public Utilities Commission for alleged failure to release unredacted 5 pages of requested engineering report. (Pilpel/Wolfe)

Ayes: Cauthen, Wolfe, Pilpel

6. 05024 Determination of jurisdiction of complaint filed by Todd Wallack, San Francisco Chronicle, reporter, against the Human Services Agency for alleged refusal to grant access to a completed report.

Speakers: None

Complainant withdrew the complaint. No action taken.

7. Public comment for items not listed on the agenda.

Speakers: None

8. Announcements, questions, and future agenda items from the Committee

Speakers: None

Adjournment: The meeting was adjourned at 5:00 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

THE AGENDA PACKET IS AVAILABLE FOR REVIEW

MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4.Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

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August 9, 2005

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA

Tuesday, August 9, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of July 12, 2005. (action item) (attachment)

2. Staff Report. (attachment)

3. 05021 Continued item on determination of jurisdiction of complaint filed by Richard Midgett against the Controller's Office for alleged failure to provide access to process/verification of funding resources
(action Item) (attachment)

4. 05025 Determination of jurisdiction of complaint filed by Juan De Anda against the Department of Public Health for alleged denial of budget reports used to conduct Outreach from the Cultural Competence and Consumer Relations Office.
(action item) (attachment)

5. 05026 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the Mayor's Long Term Care Coordinating Council (LTCCC) for alleged refusal to take public testimony on one of the agenda items, and claiming it was a passive meeting body not subject to Sunshine Ordinance rules
(action item) (attachment)

6. 05027 Determination of jurisdiction of complaint filed by James Keys against the Mayor's Office for alleged violation of public records access regarding Comcast information.
(action item) (attachment)

7. 05028 Determination of jurisdiction of complaint filed by Tom Feledy against the Department of Human Resources and San Francisco Police Department, for alleged denial of access to public records pertaining to 2004 SFPD Lieutenant's test citing attorney-client privilege; and the Civil Service Commission for alleged misuse of the "anticipated litigation" exception to the Brown Act.
(action item) (attachment)

8. Public comment for items not listed on the agenda.
(no action) (no attachment)

9. Announcements, questions, and future agenda items from the Committee members. (no attachment)

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Board of Supervisors
Sunshine Ordinance Task Force

August 9, 2005

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
Minutes

Tuesday, August 9, 2005
4:00 p.m., City Hall, Room 406

SF
S88.3
#2
8/9/05

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Call to Order: 4:02 p.m.

Roll Call: Present: Cauthen, Wolfe, Pilpel

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Agenda Changes: Move Item #2 to be heard after Public Comment.

1. Approval of minutes of July 12, 2005.

Speakers: None

Motion to approve minutes as of July 12, 2005 as amended. (Wolfe/Cauthen)

Ayes: Cauthen, Wolfe, Pilpel

3. 05021 Continued item on determination of jurisdiction of complaint filed by Richard Midgett against the Controller's Office for alleged failure to provide access to process/verification of funding resource

Motion to continue item to next meeting without objection.

Speakers: None

4. 05025 Determination of jurisdiction of complaint filed by Juan De Anda against the Department of Publi Health for alleged denial of budget reports used to conduct Outreach from the Cultural Compete and Consumer Relations Office.

Speakers: Juan De Anda, complainant; Susan Esposito, Assistant Director of Clinical Services, Department of Public Health; Dr. Tina Yee, Director of Cultural Competence and Consumer Relations Office; Helene Brook, Executive Director of SF Mental Health Board spoke on SF Men Health Board experience with Department of Public Health.

Motion to recommend jurisdiction of complaint filed by Juan De Anda against the Department of Public Health for alleged denial of budget reports used to conduct Outreach from the Cultural Competence and Consumer Relations Office. (Wolfe/Pilpel)

Ayes: Cauthen, Wolfe, Pilpel

5. 05026 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the Mayor's Lon Term Care Coordinating Council (LTCCC) for alleged refusal to take public testimony on one of t agenda items, and claiming it was a passive meeting body not subject to Sunshine Ordinance ru

Speakers: Patrick Monette-Shaw, complainant; Anne Hinton, Director of Aging and Adult Service (DAAS); Donna Calame, LTCCC Member spoke in support of DAAS.

Motion to recommend jurisdiction of complaint filed by Patrick Monette-Shaw against the Mayor's Long Term Care Coordinating Council (LTCCC) for alleged refusal to take public testimony on o of the agenda items, and untimely posting of meeting agendas and minutes. (Wolfe/Pilpel)

Ayes: Cauthen, Wolfe, Pilpel

6. 05027 Determination of jurisdiction of complaint filed by James Keys against the Mayor's Office for alle violation of public records access regarding Comcast information.

Member Pilpel disclosed he is a friend of Ms. Darlene Chui, however, he is able to make objectiv decisions regarding this item.

Speakers: James Keys, complainant; Darlene Chui, Chief Deputy Communications Director,May Office of Communications.

Motion to recommend jurisdiction of complaint filed by James Keys against the Mayor's Office fo alleged violation of public records access regarding Comcast information. (Wolfe/Cauthen)

Ayes: Cauthen, Wolfe, Pilpel

7. 05028 Determination of jurisdiction of complaint filed by Tom Feledy against the Department of Human Resources and San Francisco Police Department, for alleged denial of access to public records pertaining to 2004 SFPD Lieutenant's test citing attorney-client privilege; and the Civil Service Commission for alleged misuse of the "anticipated litigation" exception to the Brown Act.

Member Pilpel disclosed friendship with Ms. Favetti and Ms. Sanchez, but able to make objectiv decision.

Speakers: Tom Feledy, complainant; Kate Favetti, Executive Officer, Civil Service Commission; Jennifer Johnston, Department of Human Resources (DHR), spoke on behalf of DHR and Police Department.

Motion to recommend jurisdiction of complaint filed by Tom Feledy against the Department of Human Resources and San Francisco Police Department for alleged denial of access to public records pertaining to the 2004 SFPD Lieutenant's Test citing attorney-client privilege and attorne work product and motion to recommend jurisdiction of complaint against the Civil Service Commission pertaining to the 2004 SFPD Lieutenant's test for alleged citing anticipated pre-litigation defense exception to the Brown Act. (Pilpel/Wolfe) (Note: This complaint will be conside as 2 separate complaints.

8. Public comment for items not listed on the agenda.

No speakers.

2. Staff Report.

Interim Administrator gave report.

Speakers: None

9. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment: Meeting adjourned at 6:47 p.m.

This meeting has been audio recorded and is on file in the Office of the Sunshine Ordinance Task Force.

Board of Supervisors
Sunshine Ordinance Task Force

September 14, 2005 Special

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SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
AGENDA

SPECIAL MEETING

Wednesday, September 14, 2005
4:00 p.m., City Hall, Room 406

SF
S88.3
#1
9/14/05
special

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Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of August 9, 2005. (action item) (attachment)

2. 05021 Continued item on determination of jurisdiction of complaint filed by Richard Midgett against the Controller's Office for alleged failure to provide access to process/verification of funding resources.

(action Item) (attachment)

3. 05029 Determination of jurisdiction of complaint filed by John Kelly against the District Attorneys Office for alleged unlawful refusal to provide public records and failure to respond to a supplemental public records request in violation of Sections 67.21 (b) and 67.24 (d) of the Sunshine Ordinance.

(action item) (attachment)

4. 05030 Determination of jurisdiction of complaint filed by by Todd Wallack against the San

Francisco County Assessor and Recorder for alleged refusal to provide copies of its records in a timely manner, and excessive fees.

(action item) (attachment)

5. 05031 Determination of jurisdiction of complaint filed by Robert Planthold and Karen Fishkin against the Mayors Office of Criminal Justice for allegedly preventing a proposal responder from having effective notice and time to question and consider a protest to scorings for a proposal.

(action item) (attachment)

6. Public comment for items not listed on the agenda.

(no action) (no attachment)

7. Staff Report. (no attachment)

8. Announcements, questions, and future agenda items from the Committee

members. (no attachment)

Adjournment Next Regular Meeting October 11, 2005

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

THE AGENDA PACKET IS AVAILABLE FOR REVIEW

MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1. Complainant presents his/her facts and evidence 5 minutes

Other parties of Complainant presents facts & evidence Up to 3 minutes each

2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

If a speaker is interrupted by questions, the interruption does not count against his/her time.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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Board of Supervisors
Sunshine Ordinance Task Force

September 14, 2005

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

Meeting Minutes

Wednesday, September 14, 2005
4:00 p.m., City Hall, Room 406

SF
S88.3
#2
9/14/05

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

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Call to Order: 4:01 p.m.

Roll Call: Present: Cauthen, Wolfe (arrived at 4:02 p.m.), Pilpel

Agenda Changes: Item #5 to be heard after item #2.

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby, Jr.

1. Approval of minutes of August 9, 2005.

   Speakers: None

   Motion to approve minutes of August 9, 2005. (Cauthen/Wolfe)

   Ayes: Cauthen, Wolfe, Pilpel

2. 05021 Continued item on determination of jurisdiction of complaint filed by Richard Midgett against the Controller's Office for alleged failure to provide access to process/verification of funding resource

   Speakers: Richard Midgett, complainant; Peg Stevenson, Head of the City Services Auditor Division, Controllers Office; David Curto, Director of Contracts, Human Services Agency.

   Motion to recommend jurisdiction of complaint filed by Richard Midgett against the Controller's Office for alleged failure to provide access to process/verification of funding resources. (Wolfe/Pilpel)

   Ayes: Cauthen, Wolfe, Pilpel

3. 05029 Determination of jurisdiction of complaint filed by John Kelly against the District Attorneys Office alleged unlawful refusal to provide public records and failure to respond to a supplemental public records request in violation of Sections 67.21 (b) and 67.24 (d) of the Sunshine Ordinance.

Speakers: John Kelly, complainant; Thomas Bogott, Assistant District Attorney, District Attorney' Office.

Motion to recommend jurisdiction of complaint filed by John Kelly against the District Attorneys Office for alleged unlawful refusal to provide public records and failure to respond to a suppleme public records request in violation of Sections 67.21 (b) and 67.24 (d) of the Sunshine Ordinance (Pilpel/Wolfe)

Ayes: Cauthen, Wolfe, Pilpel

4. 05030 Determination of jurisdiction of complaint filed by Todd Wallack against the San Francisco Count Assessor and Recorder for alleged refusal to provide copies of its records in a timely manner, ar excessive fees.

Member Pilpel disclosed that he has had some past communication with Mr. Wallack.

Speakers: Todd Wallack, complainant; Craig Dziedzic, Tax Manager (Tax Policy and Planning), Francisco County Assessor and Recorder.

Motion to recommend jurisdiction of complaint filed by Todd Wallack against the San Francisco County Assessor and Recorder for alleged refusal to provide copies of its records in a timely manner, and excessive fees. (Cauthen/Pilpel)

Ayes: Cauthen, Wolfe, Pilpel

5. 05031 Determination of jurisdiction of complaint filed by Robert Planthold and Karen Fishkin against the Mayors Office of Criminal Justice for allegedly preventing a proposal responder from having effective notice and time to question and consider a protest to scorings for a proposal.

Member Pilpel and member Wolfe disclosed that they are acquainted/friends with Mr. Planthold, however they are able to fair and impartial.

Speakers: Karen Fishkin and Robert Planthold, complainants; Murlene Randle, Director, Mayor's Office of Criminal Justice.

Motion to recommend jurisdiction of complaint filed by Robert Planthold and Karen Fishkin again the Mayor's Office of Criminal Justice for alleged failure to provide complete copies of requested records in a timely manner. (Wolfe/Pilpel)

Ayes: Cauthen, Wolfe, Pilpel

6. Public comment for items not listed on the agenda.

No speakers.

7. Staff Report.

Administrator gave no report. Member Pilpel requested that the Administrator provide a copy of t 2005 Complaint Log for all future meetings.

Speakers: None

8. Announcements, questions, and future agenda items from the Committee

members. (no attachment).

Member Pilpel noted that the complainant's personal information had been redacted on the pack and requested future non-redacted packets.

Member Pilpel also requested that information be provided on the complaint form informing complainants that any information they provide may be disclosed publicly unless redaction is requested.

Adjournment: Meeting adjourned at 6:00 p.m.

This meeting has been audio recorded and is on file in the Office of the Sunshine Ordinance Task Force.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA
Wednesday, October 11, 2005
4:00 p.m., City Hall, Room 406

SF
588.3
#1
10/11/05

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of September 14, 2005. (action item) (attachment)

2. 05032 Determination of jurisdiction of complaint filed by Christopher Willers against the San Francisco Zoological Society for alleged violation of Sections 67.24 (f) of the Sunshine Ordinance by not providing requested records access.
(action item) (attachment)

3. 05033 Determination of jurisdiction of complaint filed by Joseph Engler against the San Francisco Civil Service Commission for alleged willful refusal to provide requested public documents.
(action item) (attachment)

4. 05034 Determination of jurisdiction of complaint filed by Justine Augustine against the San Francisco Animal Care and Control for alleged failure to respond in a timely manner.
(action item) (attachment)

5. Public comment for items not listed on the agenda.
(no action) (no attachment)

6. Administrators Report. (attachment)

7. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting November 8, 2005**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each

5. Matter is with the Task Force for discussion and deliberation
6. Vote by Task Force

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Board of Supervisors
Sunshine Ordinance Task Force

October 11, 2005

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

Minutes

SF
S88.3
#2
10/11/05

Tuesday, October 11, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Call to Order: 4:04 p.m.

Roll Call: Present: Cauthen, Wolfe, Pilpel

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Agenda Changes: None

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby, Jr.

1. Approval of minutes of September 14, 2005.

   Speakers: None

   Motion to approve minutes of September 14, 2005. (Pilpel/Wolfe)

   Ayes: Cauthen, Wolfe, Pilpel

2. 05032 Determination of jurisdiction of complaint filed by Christopher Willers against the San Francisco Zoological Society for alleged violation of Sections 67.24 (f) of the Sunshine Ordinance by not providing requested records access.

   Speakers: Christopher Willers, Complainant; Arturo Aleman, Human Resources Director, San Francisco Zoological Society

Motion to recommend jurisdiction of complaint filed by Christopher Willers against the San Francisco Zoological Society for alleged violation of Sections 67.24 (f), and 67.21 (d) and 67.27 of the Sunshine Ordinance by not providing requested records access, and for failure to provide written justification for the withholding of information. (Wolfe/Pilpel)

Ayes: Cauthen, Wolfe, Pilpel

3. 05033 Determination of jurisdiction of complaint filed by Joseph Engler against the San Francisco Civil Service Commission for alleged willful refusal to provide requested public documents.

Speakers: Joseph Engler, complainant; Kate Favetti, Executive Officer, San Francisco Civil Service Commission.

Motion to recommend jurisdiction of complaint filed by Joseph Engler against the San Francisco Civil Service Commission for alleged willful refusal to provide requested documents, while citing attorney-client privilege, and for failure to respond in a timely manner. (Wolfe/Pilpel)

Ayes: Cauthen, Wolfe, Pilpel

4. 05034 Determination of jurisdiction of complaint filed by Justine Augustine against the San Francisco Animal Care and Control for alleged failure to respond in a timely manner.

Speakers: Justine Augustine, complainant; Brent Plater, party for complainant; Kathleen Brown, Deputy Director, San Francisco Animal Care & Control Department.

Motion to recommend jurisdiction of complaint filed by Justine Augustine against the San Francisco Animal Care and Control for alleged incomplete production of records and failure to respond in a timely manner. (Wolfe/Pilpel)

Ayes: Cauthen, Wolfe, Pilpel

6. Public comment for items not listed on the agenda.

Speakers: None

7. Administrators Report.

The Administrator noted that a potential complaint by Sue Cauthen was now an official complaint.

Member Pilpel expressed thanks for providing the Potential/Complaint logs, and requested that a column be added to indicate the file number.

Member Pilpel requested that complaint withdrawals be sent to members who received the initial complaint, if there is no undue burden.

Speakers: None

8. Announcements, questions, and future agenda items from the Committee

members.

Member Wolfe indicated that having a manageable number of complaints would minimize having four hour Task Force Meetings.

Chair Cauthen indicated her instructions to the Administrator that if possible to schedule a maximum of three complaints per meeting.

Chair Cauthen requested that Member Comstock be advised that there may be a need to appoint an interim member to sit on the Complaint Committee in November to ensure a quorum, since she'll need to be recused for an item.

Member Pilpel indicated that when a Department claims that they do not have a record that they should be required to provide a copy of their retention schedule for the next Task Force meeting.

Adjournment: Meeting adjourned at 5:55 p.m.

This meeting has been audio recorded and is on file in the Office of the Sunshine Ordinance Task Force.

Sunshine Ordinance Task Force

City Hall
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, November 8, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

SF
S88.3
#1
11/8/05

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of October 11, 2005. (action item) (attachment)

2. 05036 Determination of jurisdiction of complaint filed by Espanola Jackson against Supervisor Sophie Maxwell for alleged violation of Sections 67.7, 67.7-1, and 67.15 by not giving notice of public meetings or hearings regarding the community impact of the proposed City ordinance.
(action item) (attachment)

3. 05037 Determination of jurisdiction of complaint filed by Sue Cauthen on behalf of the Telegraph Hill Dwellers Parking & Traffic Committee against the Municipal Transportation Agency for alleged violation of Sections 67.21 and 67.24 of the Sunshine Ordinance by refusing to provide an informal legal opinion to the Municipal Transportation Agency Citizens Advisory Committee.*
(action item) (attachment)

* Since Complainant Sue Cauthen is the Chair of the Complaint Committee, she is recused from hearing her own complaint.

4. 05038 Determination of jurisdiction of complaint filed by David Parker against the San Francisco Police Department for alleged violation of Sections 67.21, 67.24, 67.25, 67.26, 67.27, and 67.29-7 of the Sunshine Ordinance for failure to provide pubic records access, to respond in a timely manner, and to justify the withholding of information. (action item) (attachment)**

5. Discussion regarding City Department's Index of Records/Records Retention Policy. (no action) (no attachment)

6. Public comment for items not listed on the agenda. (no action) (no attachment)

7. Administrators Report. (attachment)

8. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting December 13, 2005**

** Since Complainant David Parker is a member of the Task Force, he is recused hearing his own complaint.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
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Board of Supervisors
Sunshine Ordinance Task Force

November 8, 2005

SF
588.3
#2
11/8/05

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE
AGENDA

Tuesday, November 8, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Call to Order: 4:05 p.m.

Roll Call: Present: Cauthen, Wolfe, Pilpel

Agenda Changes: None

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby, Jr.

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1. Approval of minutes of October 11, 2005.

Speakers: None

Motion to approve minutes of October 11, 2005. (Wolfe / Cauthen)

Ayes: Cauthen, Wolfe, Pilpel

2. 05036 Determination of jurisdiction of complaint filed by Espanola Jackson against Supervisor Sophie Maxwell for alleged violation of Sections 67.7, 67.7-1, and 67.15 by not giving notice of public meetings or hearings regarding the community impact of the proposed City ordinance.

Speakers: Espanola Jackson, Complainant; Francisco Da Costa, Public

Motion to recommend jurisdiction of complaint filed by Espanola Jackson against Supervisor Sophie Maxwell for alleged violation of Sections 67.7, 67.7-1, and 67.15 by not giving notice of public meetings or hearings regarding the community impact of the proposed City ordinance. (Wolfe / Cauthen)

Ayes: Cauthen, Wolfe, Pilpel

3. 05037 Determination of jurisdiction of complaint filed by Sue Cauthen on behalf of the Telegraph Hill Dwellers Parking & Traffic Committee against the Municipal

Transportation Agency for alleged violation of Sections 67.21 and 67.24 of the Sunshine Ordinance by refusing to provide an informal legal opinion to the Municipal Transportation Agency Citizens Advisory Council.

Chair Cauthen appointed member Wolfe as interim Chair.

Motion to recuse Chair Sue Cauthen (Wolfe / Pilpel)

Ayes: Cauthen, Wolfe, Pilpel

Speakers: Sue Cauthen, Complainant; Maggie Lynch, Director of Media Relations, Municipal Transportation Agency.

Motion to recommend jurisdiction of complaint filed by Sue Cauthen on behalf of the Telegraph Hill Dwellers Parking & Traffic Committee against the Municipal Transportation Agency for alleged violation of Sections 67.21 and 67.24 of the Sunshine Ordinance by refusing to provide an informal legal opinion to the Municipal Transportation Agency Citizens Advisory Council. (Pilpel / Wolfe)

Ayes: Wolfe, Pilpel

Recused: Cauthen

Interim Chair Wolfe returned the meeting over to Chair Cauthen.

4. 05038 Determination of jurisdiction of complaint filed by David Parker against the San Francisco Police Department for alleged violation of Sections 67.21, 67.24, 67.25, 67.26, 67.27, and 67.29-7 of the Sunshine Ordinance for failure to provide pubic records access, to respond in a timely manner, and to justify the withholding of information.

Speakers: None

Motion to recommend jurisdiction of complaint filed by David Parker against the San Francisco Police Department for alleged violation of Sections 67.21, 67.24, 67.25, 67.26, 67.27, and 67.29-7 of the Sunshine Ordinance for failure to provide pubic records access, to respond in a timely manner, and to justify the withholding of information. (Pilpel / Wolfe)

Ayes: Cauthen, Wolfe, Pilpel

The Chair expressed dissatisfaction with the SFPD for not being present at the hearing.

5. Discussion regarding City Department's Index of Records/Records Retention Policy.

Speakers: None

In accordance with Committee consensus the Administrator was requested to provide copies of the Records Retention Policies and Schedules for Municipal Transportation Agency and the Civil Service Commission.

Continued to the December 13, 2005 meeting without objection.

6. Public comment for items not listed on the agenda.

Speakers: None

7. Administrators Report.

Speakers: None

8. Announcements, questions, and future agenda items from the Committee members.

Member Wolfe asked Deputy City Attorney Llorente to clarify whether language in the two jurisdictional letters were identical, which states "the Task Force has jurisdiction" and "the Task Force does have jurisdiction. DCA Llorente confirmed that they were identical.

Adjournment Meeting adjourned at 5:46 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Board of Supervisors
Sunshine Ordinance Task Force

December 13, 2005

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA

Tuesday, December 13, 2005
4:00 p.m., City Hall, Room 406

F
88.3
1
2/13/05

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of November 8, 2005. (action item) (attachment)

2. 05037 Motion to amend complaint of Sue Cauthen v. San Francisco Municipal Transportation Agency to allow the complainant to also represent the Municipal Transportation Agency Citizens Advisory Committee on the complaint.

   (action item) (no attachment)

3. 05039 Determination of jurisdiction of complaint filed by Louis Dillon against the Golden Gate Park Stables Working Group for alleged violation of open meeting laws in that the Working Group failed to provide notice of its meetings and failed to allow public comment during its meetings in violation of the Sunshine Ordinance.

   (action item) (attachment)

4. 05040 Determination of jurisdiction of complaint filed by Juan De Anda against the Department of Public Health for alleged denial of access to public records and minutes of previous meetings of the Latino Leadership Peer Mentorship Program.

(action item) (attachment)

5. Continued discussion regarding City Department's Index of Records/Records Retention Policy. (no action) (attachments)

6. Public comment for items not listed on the agenda.

(no action) (no attachment)

7. Administrators Report. (attachment)

8. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment Next Regular Meeting January 10, 2005

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1. Complainant presents his/her facts and evidence 5 minutes

Other parties of Complainant presents facts & evidence Up to 3 minutes each

2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4 Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5 Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

If a speaker is interrupted by questions, the interruption does not count against

his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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Board of Supervisors
Sunshine Ordinance Task Force

December 13, 2005

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

MINUTES

SF
588.3
#2
12/13/05

Tuesday, December 13, 2005
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Call to Order: 4:22 p.m.

Roll Call: Present: Cauthen, Wolfe, Pilpel

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Agenda Changes: None

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby, Jr.

1. Approval of minutes of November 8, 2005.

   Speakers: None

   Motion to approve minutes of November 8, 2005.
   (Pilpel / Wolfe)

   Ayes: Cauthen, Wolfe, Pilpel

2. 05037 Motion to amend complaint of Sue Cauthen v. San Francisco Municipal Transportation Agency to allow the complainant to also represent the Citizens Advisory Council on the complaint. *

   Chair Cauthen appointed member Pilpel as interim Chair.

   Motion to recuse Chair Sue Cauthen (Pilpel / Wolfe)

   Ayes: Cauthen, Wolfe, Pilpel

Member Pilpel indicated that he is a former member of the Municipal Transportation Agency-Citizens Advisory Council and that he is capable of being fair and impartial.

Speakers: Sue Cauthen, Complainant; Bill Seelinger, Chair, Telegraph Hill Dwellers Parking & Traffic Committee, Maggie Lynch, Director of Media Relations, Municipal Transportation Agency.

Motion to deny the amendment. (Wolfe / Pilpel)

Ayes: Wolfe, Pilpel

Recused: Cauthen

Interim Chair Pilpel returned the meeting over to Chair Cauthen.

3. 05039 Determination of jurisdiction of complaint filed by Louis Dillan against the Golden Gate Park Stables Working Group for alleged violation of open meeting laws in that the Working Group failed to provide notice of its meetings and failed to allow public comment during its meetings in violation of the Sunshine Ordinance.

Speakers: Louis Dillan, Complainant; Jaci Fong, Director of Property Management, Recreation and Park Department.

Motion to recommend jurisdiction of complaint filed by Louis Dillan against the Golden Gate Park Stables Working Group for alleged violation of open meeting laws in that the Working Group failed to provide notice of its meetings and failed to allow public comment during its meetings in violation of the Sunshine Ordinance. (Wolfe / Cauthen)

Ayes: Cauthen, Wolfe, Pilpel

4. 05040 Determination of jurisdiction of complaint filed by Juan De Anda against the the Department of Public Health for alleged denying access to public records and minutes of previous meetings of the Latino Leadership Peer Mentorship Program.

Speakers: Juan De Anda, Complainant; Susan Esposito, Assistant Director of Adult Services, Department of Public Health; Dr. Tina Yee, Director,

Cultural Competence & Client Relations, Community Behavioral Health Services.

Motion to recommend jurisdiction of complaint filed by Juan De Anda against the Department of Public Health for alleged denying access to public records and minutes of previous meetings of the Latino Leadership Peer Mentorship Program. (Cauthen / Wolfe)

Ayes: Cauthen, Wolfe, Pilpel

5. Continued discussion regarding City Department's Index of Records/Records Retention Policy.

Speakers: None

In accordance with Committee consensus Chair Cauthen requested that the Administrator add to the Complaint Committees policy, the next time it is revised, language which says that 'The Administrator will inform complainants as to whether a department has a record type being requested.'

6. Public comment for items not listed on the agenda.

Speakers: None

7. Administrators Report.

The Administrator made the report.

Speakers: None

Member Pilpel requested that future reports include the "Potential Complaint Log."

8. Announcements, questions, and future agenda items from the Committee members.

Adjournment Meeting adjourned at 7:15 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Board of Supervisors
Sunshine Ordinance Task Force

January 10, 2006

Click on the item numbers below to obtain background materials. These files are provided in PDF format, and you must have the Adobe Acrobat Reader to access them. Click here for info about obtaining Acrobat (it's free).

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1/10/06

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

AGENDA

Tuesday, January 10, 2006
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, David Pilpel

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of December 13, 2005. (action item) (attachment)

2. 05041 Determination of jurisdiction of complaint filed by John Wickham against the Department of Parking and Traffic for alleged denial of public records access. (action item) (attachment)

3. 05042 Determination of jurisdiction of complaint filed by Steve Lynch against the San Francisco Fire Department for alleged violation of Sections 67.21, 67.25, 67.26 and 67.27 for denial of public records access and untimely response. (action item) (attachment)

4. Public comment for items not listed on the agenda.

(no action) (no attachment)

5. Administrators Report. (attachment)

6. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment Next Regular Meeting February 14, 2005

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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Other parties of Complainant presents facts & evidence Up to 3 minutes each

2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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Board of Supervisors
Sunshine Ordinance Task Force

January 10, 2006

SF
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1/10/06

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MINUTES

Tuesday, January 10, 2006

4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Call to Order: 4:01 p.m.

Roll Call: Present: Cauthen, Wolfe, Mueller

Agenda Changes: None

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Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby, Jr.

1. Approval of minutes of December 13, 2005.

Speakers: None

Motion to approve minutes of December 13, 2005. (Wolfe / Cauthen)

Ayes: Cauthen, Wolfe, Mueller

2. 05041 Determination of jurisdiction of complaint filed by John Wickham against the Department of Parking and Traffic for alleged denial of public records access.

Speaker: John Wickham, Complainant; Maggie Lynch, Public Information Officer, Department of Parking and Traffic.

Motion to recommend jurisdiction of complaint filed by John Wickham against the Department of Parking and Traffic for alleged denial of public records access, untimely response, and failure to provide written justification for non disclosure. (Mueller / Cauthen)

Ayes: Cauthen, Wolfe, Mueller

Member Wolfe expressed displeasure at the letter by Bond Yee, Acting Executive Director of DPT

3. 05042 Determination of jurisdiction of complaint filed by Steve Lynch against the San Francisco Fire Department for alleged violation of Sections 67.21, 67.25, 67.26 and 67.27 for denial of public records access and untimely response.

Speaker: Steve Lynch, Complainant; Lorrie Kalos, Assistant Deputy Chief, San Francisco Fire Department.

Motion to recommend jurisdiction of complaint filed by Steve Lynch against the San Francisco Fire Department for alleged violation of Sections 67.21, 67.25, 67.26 and 67.27 for denial of public records access and untimely response. (Mueller / Wolfe)

Ayes: Cauthen, Wolfe, Mueller

4. Public comment for items not listed on the agenda.

Speakers: None

5. Administrators Report.

The Administrator made the report.

Speakers: None

Member Wolfe requested that the log be reduced to show only the active complaints.

6. Announcements, questions, and future agenda items from the Committee members.

Adjournment Meeting adjourned at 5:08 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

February 14, 2006 - Cancelled

CANCELLED
SUNSHINE ORDINANCE
TASK FORCE
February 14, 2006
Complaint Committee Meeting
4:00 PM
Room 406

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, March 14, 2006
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

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Call to Order
Roll Call
Agenda Changes

1.		Approval of minutes of January 10, 2006. (action item) (attachment)
2	06001	Determination of jurisdiction of complaint filed by Unnamed Person against the Mayor's Office of Protocol for alleged failure to produce records. (action item) (attachment)
3	06002	Determination of jurisdiction of complaint filed by Bob Kaufman against the City Attorneys Office for alleged incomplete production of records and non-disclosure of redacted information. (action item) (attachment)
4.		Public comment for items not listed on the agenda. (no action) (no attachment)
5.		Administrators Report. (attachment)
6.		Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting April 11, 2005**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Board of Supervisors
Sunshine Ordinance Task Force

March 14, 2006

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

Minutes

Tuesday, March 14, 2006

4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Call to Order: 4:04 p.m.

Roll Call: Present: Cauthen, Wolfe (arrived at 4:15), Mueller

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Agenda Changes: None

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby, Jr.

1. Approval of minutes of January 10, 2006.

Speakers: Kimo Crossman (against)

Motion to approve minutes of January 10, 2006. (Mueller / Cauthen)

Ayes: Cauthen, Wolfe, Mueller

Absent: Wolfe

2 06001 Determination of jurisdiction of complaint filed by Unnamed Person against the Mayor's Office of Protocol for alleged failure to produce records.

Speaker: Anonymous for Complainant; Matthew Goudeau, Director, Mayors Office of Protocol.

Public: Kimo Crossman in support of complainant. David Pilpel as an individual.

Motion to recommend jurisdiction of complaint filed by Unnamed Person against the Mayor's Office of Protocol for alleged failure to

produce records and to respond in a timely manner. (Mueller / Wolfe)

Ayes: Cauthen, Wolfe, Mueller

Chair Cauthen, by consensus of the committee, instructed the person making the complaint to appear at the full Task Force meeting to make their presentation or to call in as the anonymous person. The complainant was also asked to provide a copy of the original Immediate Disclosure Request dated February 28, 2006, to the Administrator by March 21, 2006.

3 06002 Determination of jurisdiction of complaint filed by Bob Kaufman against the City Attorneys Office for alleged incomplete production of records and non-disclosure of redacted information.

Speaker: Bob Kaufman, Complainant; Rose-Ellen Fairgrieve, Deputy City Attorney, City Attorney's Office

Public: Kimo Crossman in support of complainant.

Motion to recommend jurisdiction of complaint filed by Bob Kaufman against the City Attorneys Office for alleged incomplete production of records and non-disclosure of redacted information. (Wolfe / Mueller)

Ayes: Cauthen, Wolfe, Mueller

Chair Cauthen, by consensus of the committee, asked the complainant to provide a copy of his original request to the City Attorney's Office dated October 4, 2005, to the Administrator by March 21, 2006.

4. Public comment for items not listed on the agenda.

Speaker: Kimo Crossman; David Pilpel

5. Administrators Report.

The Administrator made the report

Speaker: David Pilpel; Kimo Crossman

6. Announcements, questions, and future agenda items from the Committee members.

Member Wolfe indicated that communications sent to the Board of Supervisors are from members of the public who cannot attend the meeting.

Speaker: None

Adjournment Meeting adjourned at 5:43 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Board of Supervisors
Sunshine Ordinance Task Force

April 11, 2006

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4/11/06

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

AGENDA

Tuesday, April 11, 2006

4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order

Roll Call

Agenda Changes

1. Approval of minutes of March 14, 2006. (action item) (attachment)

2. Discussion of the Sunshine Ordinance 2005 Annual Report (discussion and possible action) (attachment)

3. Public comment for items not listed on the agenda.

(no action) (no attachment)

4. Administrators Report. (attachment)

5. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment Next Regular Meeting May 9, 2006

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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Other parties of Complainant presents facts & evidence Up to 3 minutes each

2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

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Board of Supervisors
Sunshine Ordinance Task Force

April 11, 2006

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MINUTES

Tuesday, April 11, 2006

4:00 p.m., City Hall, Room 406

SF
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#2
4/11/06

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Call to Order: 4:08 p.m.

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Roll Call: Present: Cauthen, Wolfe, Mueller

Agenda Changes: None

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby, Jr.

1. Approval of minutes of March 14, 2006.

   Speakers: None

   Motion to approve minutes of March 14, 2006. (Wolfe / Mueller)

   Ayes: Cauthen, Wolfe, Mueller

2 Discussion of the Sunshine Ordinance 2005 Annual Report

   The Committee discussed and suggested changes to the draft Annual Report that was recorded by the Administrator.

   Speakers: None

3. Public comment for items not listed on the agenda.

   Speakers: None

4. Administrators Report.

The Administrator made the report.

Speakers: None

5. Announcements, questions, and future agenda items from the Committee members.

Member Mueller suggested that the statement, from the Sunshine Ordinance, allowing the Public to submit written comments be added to the SOTF agenda procedures.

Member Wolfe suggested that the Task Force request more money in its budget from the Board of Supervisors to allow for the hiring of a .5 FTE to assist the Administrator and to fund outreach programs.

Adjournment The meeting was adjourned at 4:57 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, May 9, 2006
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

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5/9/06

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of April 11, 2006. (action item) (attachment)

2 06003 Determination of jurisdiction of complaint filed by John Avalos, on behalf of Supervisor Christ Daly, against the Mayors Office of Communications for alleged failure to respond in 24 hours to and Immediate Disclosure Request as required under the Sunshine Ordinance. (action item) (attachment)

3. Administrators Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting June 13, 2006**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be made a part of the official public record. (*Section 67.7-1 (c)*)

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each

5. Matter is with the Task Force for discussion and deliberation
6. Vote by Task Force

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Sunshine Ordinance Task Force

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
DRAFT MINUTES
Tuesday, May 9, 2006
4:00 p.m., City Hall, Room 406

SF
588.3
#2
5/9/06
draft

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Call to Order: 4:00 p.m.
Roll Call: Present: Cauthen, Wolfe, Mueller (arrived at 4:03)
Agenda Changes: None

Deputy City Attorney: Ernie Llorente
Administrator: Frank Darby, Jr.

1. Approval of minutes of April 11, 2006.

Speakers: Kimo Crossman-minutes not descriptive

Motion to approve minutes of April 11, 2006. (Wolfe / Cauthen)
Ayes: Cauthen, Wolfe, Mueller

2 06003 Determination of jurisdiction of complaint filed by John Avalos, on behalf of Supervisor Chris Daly, against the Mayors Office of Communications for alleged failure to respond in 24 hours to an Immediate Disclosure Request as required under the Sunshine Ordinance.

Speakers: John Avalos, Legislative Aide to Supervisor Chris Daly; Jennifer Petrucione, Deputy Communications Director, Mayors Office of Communication (MOC); Kimo Crossman-shared his negative experiences with the MOC; Emeric Kalman spoke about his negative experiences obtaining documents from the Mayor's staff.

Motion to recommend jurisdiction of complaint filed by John Avalos, on behalf of Supervisor Chris Daly, against the Mayors Office of Communications for alleged failure to produce documents in their control and to respond in 24 hours to an Immediate Disclosure Request as required under the Sunshine Ordinance. (Wolfe / Cauthen)
Ayes: Cauthen, Wolfe, Mueller

3. Administrators Report.

The Administrator made the report.

Speakers: None

4. Public comment for items not listed on the agenda.

Speakers: Kimo Crossman expressed view re: Sunshine Ordinance reference to a custodian of a public records in Sec. 67.21

5. Announcements, questions, and future agenda items from the Committee members.

Speakers: None

Adjournment **The meeting was adjourned at 5:07 PM**

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, June 13, 2006
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

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1
12/06

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of May 9, 2006. (action item) (attachment)

2 06004 Determination of jurisdiction of complaint filed by Robert Planthold against the Municipal Transportation Agency for alleged failure to respond to an Immediate Disclosure Request in a timely manner. (action item) (attachment)

3. Administrators Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting July 11, 2006**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each

5. Matter is with the Task Force for discussion and deliberation
6. Vote by Task Force

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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June 13, 2006 - Cancelled

NOTICE OF CANCELLED MEETING
SUNCHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the Meeting of the Sunshine Ordinance Task Force Complaint Committee scheduled for Tuesday, June 13, 2006 at 4:00 p.m. at 1 Dr. Carlton B. Goodlett Place, Room 406, City Hall, San Francisco, California, has been canceled.

Gloria L. Young
Clerk of the Board

Posted: June 12, 2006

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
RESCHEDULED MEETING
AGENDA
Tuesday, June 27, 2006
3:00 p.m., City Hall, Room 408

SF
S88.3
#1
6/27/06

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of May 9, 2006. (action item) (attachment)

2 06004 Determination of jurisdiction of complaint filed by Robert Planthold against the Municipal Transportation Agency for alleged failure to respond to an Immediate Disclosure Request in a timely manner. (action item) (attachment)

3. Administrators Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting July 11, 2006**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
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Board of Supervisors
Sunshine Ordinance Task Force

June 27, 2006

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

DRAFT MINUTES

Tuesday, June 27, 2006

4:00 p.m., City Hall, Room 406

SF
S88.3
P3
6/27/06

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Nicholas Mueller

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order: 4:11 p.m.

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Roll Call: Present: Cauthen, Mueller

Absent: Wolfe

Agenda Changes: Item 1 was taken after item number 2.

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby, Jr.

1. Approval of minutes of May 9, 2006.

Speakers: None

Motion to approve minutes of May 9, 2006. (Cauthen / Mueller)

Ayes: Cauthen, Mueller

Absent: Wolfe

2 06004 Determination of jurisdiction of complaint filed by Robert Planthold against the Municipal Transportation Agency for alleged failure to respond to an Immediate Disclosure Request in a timely manner.

Speakers: Robert Planthold, Complainant; Diana Hammons, Acting Director, External Affairs Division, Municipal Transportation Agency

Motion to recommend jurisdiction of complaint filed by Robert Planthold against the Municipal Transportation Agency for alleged failure to respond to an Immediate Disclosure Request in a timely manner, incomplete production of documents, unreasonable delay, and failure to respond on a rolling basis. (Mueller / Cauthen)

Ayes: Cauthen, Mueller

Absent: Wolfe

3. Administrators Report.

Speakers: None

The Administrator made the report

4. Public comment for items not listed on the agenda.

Speakers: None

5. Announcements, questions, and future agenda items from the Committee members.

Speakers: None

Member Mueller stated that he will not be able to attend the July 11, Complaint Committee meeting.

Chair Cauthen asked the Administrator to add an item on next months agenda regarding staff support for the Committee in the absence of the Administrator.

Adjournment The meeting was adjourned at 3:37 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, July 11, 2006
4:00 p.m., City Hall, Room 406

SF
S85.3
#1
7/11/06

Committee Members: Sue Cauthen, Chair; Bruce Wolfe, Hanley Chan

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of June 27, 2006. (action item) (attachment)

2. 06005 Determination of jurisdiction of complaint filed by Kimo Crossman against the Mayors Office for alleged failure to allow public comment during the June 5, 2006 meeting of the Disaster Council. (action item) (attachment)

3. 06006 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide records, and failure to respond in a timely manner. (action item) (attachment)

4. Discussion re: Staff Support and Communication. (discussion) (no attachment).

5. Administrators Report. (attachment)

6. Public comment for items not listed on the agenda. (no action) (no attachment)

7. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting August 8, 2006**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
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Board of Supervisors
Sunshine Ordinance Task Force

July 11, 2006

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MINUTES

SF
588.3
#2
7/11/06

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Tuesday, July 11, 2006

4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Nicholas Mueller, Kristin Chu

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order: 4:00 p.m.

Roll Call: Present: Cauthen, Wolf, Comstock

Excused: Mueller, Chu

Agenda Changes: None

Deputy City Attorney: Ernie Llorente (Excused)

Administrator: Frank Darby

1. Approval of minutes of June 13, 2006.

   Speakers: None

   Motion to approve minutes of May 9, 2006. (Cauthen / Mueller)

   Ayes: Cauthen, Comstock

   Absent: Wolfe

2. 06005 Determination of jurisdiction of complaint filed by Kimo

Crossman against the Mayors Office for alleged failure to allow public comment during the June 5, 2006 meeting of the Disaster Council.

Speakers: Kimo Crossman, Complainant; Francisco Da Costa in support of the complaint; Jennifer Petrucione, Mayor's Office of Communication

Motion to recommend jurisdiction of complaint filed by Kimo Crossman against the Mayor Newsom for alleged failure to allow public comment during the June 5, 2006 meeting of the Disaster Council. (Comstock / Wolfe)

Ayes: Cauthen, Wolfe, Comstock

Chair Cauthen, in accordance with committee consensus asked the Administrator to write a letter to the Mayor requesting his presence at the Full Task Force meeting to address this complaint.

3. 06006 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide records, and failure to respond in a timely manner.

Speakers: Kimo Crossman, Complainant

Chair Cauthen, in accordance with committee consensus asked the Administrator to note that no representative of the Department of Telecommunications and Information Services (DTIS) was present, and to write a letter to them indicating that their presence was expected, that the filing of a complaint does not cancel out the request for information, and that they must provide information on an ongoing method when requested.

Motion to recommend jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide records, and failure to respond in a timely manner. (Wolfe / Comstock)

Ayes: Cauthen, Wolfe, Comstock

4. Discussion re: Staff Support and Communication.

Speakers: Francisco Da Costa expressed that the Sunshine Task Force can't make progress without proper support; recommends keeping the public informed about Sunshine on the web site or newsletter. Kimo Crossman

expressed his displeasure with the Administrator with regards to support and communication with the public.

After some discussion by members of the committee, the Administrator agreed to provide support at future meetings and no future action was taken.

Member Comstock asked the Complaint Committee to consider a new committee procedure of developing a tentative/draft order of determination prior to the full Task Force meeting.

Chair Cauthen suggested that a draft order of determination be discussed and written after the vote on jurisdiction.

5. Administrators Report

Speakers: None

The Administrator made the report.

6. Public comment for items not listed on the agenda.

Speakers: None

7. Announcements, questions, and future agenda items from the Committee members.

Speakers: None

Chair Cauthen asked the Administrator to agendize a discussion for the August 8, meeting re: Developing a tentative/draft order of determination for complaints prior to the full Task Force meeting.

Adjournment The meeting was adjourned at 5:01 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Room 244

Sunshine Ordinance Task Force

City Hall
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, August 8, 2006
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of July 25, 2006. (action item) (attachment)

2. 06007 Determination of jurisdiction of complaint filed by Javier Gonzalez against the City Attorney's Office for alleged failure to produce documents relating to an investigative report (action item) (attachment)

3. 06008 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to respond to a IDR, untimely response, to provide records incrementally, to exempt review, to provide records electronically, and to use computer technology to reduce cost. (action item) (attachment)

4. 06009 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to respond to a IDR, untimely response, to provide records incrementally, to exempt review, to provide records electronically, and to use computer technology to reduce cost. (action item) (attachment)

5. 06011 Determination of jurisdiction of complaint filed by Beth Rimbey against the Office of Emergency Services and the Mayors Office of Communications for alleged failure to produce documents, incomplete production of documents, unnecessary redactions, and untimely response. (action item) (attachment)

6. 06012 Determination of jurisdiction of complaint filed by Juan De Anda against the Department of Public Health for alleged incomplete production of documents (action item) (attachment)

7. Discussion of policy and procedural issues regarding development of a draft Order of Determination for the full Task Force. (discussion and possible action) (no attachment).

8. Administrator's Report. (attachment)

9. Public comment for items not listed on the agenda. (no action) (no attachment)

10. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting September 12, 2006**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
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Board of Supervisors
Sunshine Ordinance Task Force

August 8, 2006

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

SF
588.3
#2
8/8/06

Tuesday, August 8, 2006

4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:02 p.m.

Roll Call: Present: Cauthen, Chu, Wolf, Goldman

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Agenda Changes: Item #3, item #4 and item #6 were continued to the next meeting.

Deputy City Attorney: Ernie Llorente

Clerk: Linda Wong

1. Approval of minutes of July 11, 2006.

   Member Cauthen recommended amendment of item #4 to read:

   "After some discussion by members of the committee, the administrator agreed to provide support at future meetings and no future action was taken."

   Speakers: None

   Motion to approve minutes of July 11, 2006. (Cauthen / Goldman)

   Ayes: Cauthen, Chu, Wolfe, Goldman

2. 06007 Determination of jurisdiction of complaint filed by Javier Gonzalez against the City Attorney's Office for alleged failure to produce documents relating to an investigative report

Speaker: Mariam Morley, Deputy City Attorney, City Attorney's Office.

Motion to recommend jurisdiction. (Cauthen / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

3. 06008 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to respond to a IDR, untimely response, to provide records incrementally, to exempt review, to provide records electronically, and to use computer technology to reduce cost.

Speakers: None

Both parties have agreed to continue the item to the next meeting. Neither party appeared.

Motion to continue the item to the next meeting. Without objection.

4. 06009 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to respond to a IDR, untimely response, to provide records incrementally, to exempt review, to provide records electronically, and to use computer technology to reduce cost.

Both parties have agreed to continue the item to the next meeting. Neither party appeared.

Speakers: None

Motion to continue the item to the next meeting. Without objection.

5. 06011 Determination of jurisdiction of complaint filed by Beth Rimbey against the Office of Emergency Services and the Mayors Office of Communications for alleged failure to produce documents, incomplete production of documents, unnecessary redactions, and untimely response.

Speakers: Beth Rimbey, Complainant, spoke on the complaint and agreed to provide to the Task Force similar documents she obtained from other cities for comparison.

Jennifer Petrucione, Deputy Communications Director,

Mayors Office of Communication (MOC), spoke on the complaint and agreed to provide to the Task Force guidelines the MOC has regarding redactions.

Ms. Rimbey and Ms. Petrucione agreed to discuss their issues outside the hearing room.

Chair Cauthen, in accordance with Committee consensus, requested that a representative from the City Attorney's Office appears before the next full Task Force meeting if a written guideline is not provided prior to the next full Task Force meeting.

Motion to recommend jurisdiction. (Cauthen / Wolfe)

Ayes: Cauthen, Chu, Wolfe, Goldman

6. 06012 Determination of jurisdiction of complaint filed by Juan De Anda against the Department of Public Health for alleged incomplete production of documents

Both parties have agreed to continue the item to the next meeting. Neither party appeared.

Speakers: None

Motion to continue the item to the next meeting. Without objection.

7. Discussion of policy and procedural issues regarding development of a draft Order of Determination for the full Task Force.

Speakers: None

Motion to develop information to aid in the drafting of an Order of Determination by the Full Task Force. (Cauthen/Wolfe)

Ayes: Cauthen, Chu, Wolfe, Goldman

8. Administrators Report

Speakers: None

Motion to accept the report. Without objection.

9. Public comment for items not listed on the agenda.

Speakers: None

10. Announcements, questions, and future agenda items from the Committee members.

Speakers: None

There was none.

Adjournment The meeting was adjourned at 5:12 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, September 12, 2006
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of August 8, 2006. (action item) (attachment)

2. 06012 Determination of jurisdiction of complaint filed by Juan De Anda against the Department of Public Health for alleged incomplete production of documents (action item) (attachment)

3. 06013 Determination of jurisdiction of complaint filed by Kimo Crossman against the Board of Supervisors, Office of the Clerk of the Board and Sunshine Ordinance Task Force for alleged failure to provide public record (*in MS Word format*) and failure to provide written exemption. (action item) (attachment)

4. 06014 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to produce records and to provide in electronic format. (action item) (attachment)

5. 06015 Determination of jurisdiction of complaint filed by Allen Grossman against the Board of Supervisors, Office of the Clerk of the Board and Sunshine Ordinance Task Force for alleged failure to provide public record (*in MS Word format*), and failure to provide specific exemption(s). (action item) (attachment)

6. Language and format of Order of Determination Report (discussion and possible action) (attachment)

7. Administrator's Report. (attachment)

8. Public comment for items not listed on the agenda. (no action) (no attachment)

9. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting October 10, 2006**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Board of Supervisors
Sunshine Ordinance Task Force

September 12, 2006

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

SF
588.3
#2
9/12/06

MINUTES

Tuesday, September 12, 2006

4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Cauthen, Chu, Wolfe (arrived at 4:20 PM), Goldman

Agenda Changes: Item #4 was heard after item #5. Item #8 was heard after item #4.

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby

1. Approval of minutes of August 8, 2006.

Chair Cauthen informed the committee members that the minutes for the July 11, 2006 meeting will need to be amended to remove/correct a change made during the August 8, meeting for item #4 that added remarks allegedly made by the Administrator. She asked the Administrator to add and item on "Amendments to the minutes of July 11, 2006," to the October 10, 2006 agenda.

Speakers: None

Motion to approve minutes of August 8, 2006. (Chu / Goldman)

Ayes: Cauthen, Chu, Goldman

Excused Absent: Wolfe

2. 06012 Determination of jurisdiction of complaint filed by Juan De Anda against the Department of Public Health for alleged incomplete production of documents

Chair Cauthen informed members that Mr. De Anda has withdrawn his complaint, and that no further action is necessary.

3. 06013 Determination of jurisdiction of complaint filed by Kimo Crossman against the Board of Supervisors, Office of the Clerk of the Board and Sunshine Ordinance Task Force for alleged failure to provide public record (*in MS Word format*) and failure to provide written exemption.

Speakers: Kimo Crossman, Complainant; Frank Darby, Jr., Records and Information Manager, Office of the Clerk of the Board.

David Pilpel expressed a concern that the complainant listed the Board of Supervisors and Task Force as respondents and asked whether it should remain as is or removed to only include the Clerk of the Board.

Allen Grossman noted that his complaint is not against the Board of Supervisors or the Task Force but against Gloria Young and Linda Wong.

Motion to recommend jurisdiction of complaint filed by Kimo Crossman against the Office of the Clerk of the Board for alleged failure to provide public record in original Word format and failure to provide written justification for withholding. (Cauthen / Chu)

Ayes: Cauthen, Chu, Goldman

Excused Absent: Wolfe

4. 06014 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to produce records and to provide in electronic format.

Speakers: Kimo Crossman, Complainant; Ron Vinson, Chief Administrative Officer, Department of Telecommunications and Information Services

David Pilpel said that this complaint is different from the other two complaints and questions whether a finding of

jurisdiction is proper.

Deputy City Attorney Ernie Llorente, in response to the Chair indicated that all of Section 67.21 (l) would need to be looked at in its entirety including the Public Records Act previously cited.

Motion to recommend jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to produce records and to provide in electronic format. (Wolfe / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

5. 06015 Determination of jurisdiction of complaint filed by Allen Grossman against the Board of Supervisors, Office of the Clerk of the Board and Sunshine Ordinance Task Force for alleged failure to provide public record (*in MS Word format*), and failure to provide justification for withholding.

Speakers: Allen Grossman, Complainant; Frank Darby, Jr., Records and Information Manager, Office of the Clerk of the Board.

Deputy City Attorney Ernie Llorente, in response to a question from the Chair regard metadata, referenced Section 67.21 and the Public Records Act 6253.9 and 6253.9 (f) which deals with the release of electronic records.

Kimo Crossman supports jurisdiction; he said that California Code Section 6253 (b) is the relevant code section to be considered by the Committee. That the Clerk of the Board is relying on an unwritten policy and only providing oral justification from the City Attorney. That the PDF version is not as functional as the Word version.

David Pilpel asked the Committee to identify the respondents as it appears in the original complaint.

Chair Cauthen asked the Administrator to inform the Department to put something briefly in writing regarding their policy on metadata.

Motion to recommend jurisdiction of complaint filed by Allen Grossman against the Office of the Clerk of the Board and Sunshine Ordinance Task Force Administrator for alleged failure to provide public record in original Word

format and failure to provide written justification for withholding. (Goldman / Chu)

Ayes: Cauthen, Chu, Wolfe, Goldman

6. Language and format of Order of Determination Report

Speakers:

David Pilpel suggested that a line be added in the the Order of Determination template which says, "This matter comes before the Task Force under Sections: 67.21 (e), 67.30 (c), and/or 12L."

Kimo Crossman said that it is sad that the Committee has spent 15 minutes on a draft document and allowed the lead City Attorney on Sunshine to violate the ordinance but have said nothing about it.

Mr. Grossman said that in Section 67.21 (g) there is a presumption that the record is public and that the custodian is responsible for proving that it is exempt.

The Committee discussed their Order of Determination template and after reviewing the comments from Member Craven, and hearing public testimony agreed to leave the template as is.

7. Administrator's Report.

The Administrator made the report.

Speakers: Kimo Crossman stated that the 2005 Good Government Guide in the orange Public Review Binder need to be replaced with the 2006 version.

8. Public comment for items not listed on the agenda.

Speakers:

- P aul Zarefsky, Deputy City Attorney, City Attorney's Office stated that the subject of electronic records is complicated both technically and legally and urged as a matter of process that the Task Force have a general hearing prior to resolving the above three complaints, to learn about metadata (Word), and its potential dangers.

- A llen Grossman said that he doesn't agree that adopting a policy prior to hearing the complaints

would allow him to have a reasonable and fair hearing; that the metadata is important.

- Da vid Pilpel agree with Mr. Zarefsky's suggestion; that page 35 and 81 of the packet has client IP addresses that is an example of the type of metadata that may be used to damage a persons PC. That he observed Mr. Crossman ask Mr. Zafefsky for a copy of his notes and when he was denied, Mr. Crossman made an immediate disclosure request which Mr. Pilpel felt it was not reasonable.
- K imo Crossman said the Task Force is allowed to establish policy under Section 67.30 (c). He said that he asked Mr. Zarefsky for a copy of his speaking notes, which is a public record, but he refused to provide it, which is a violation of the Ordinance Section 67.21 (i). That metadata in a Word document is a public record.

The Committee by consensus agreed with Mr. Zarefsky's suggestion that the Task Force have a general discussion regarding electronic records and metadata, and that an independent expert be invited to speak on the subject. And asked the Administrator to speak with Chair Comstock regarding adding an item for discussion before the complaints at the next Task Force meeting.

9. Announcements, questions, and future agenda items from the Committee members.

Speakers: None

Adjournment The meeting was adjourned at 5:47 PM

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October 10, 2006

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA

Tuesday, October 10, 2006
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order; Roll Call; Agenda Changes

1. Amendments to the minutes of July 11, 2006.
(action item) (attachment)

2. Approval of minutes of September 12, 2006.
(action item) (attachment)

3. 06008 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged untimely response, failure to respond to a IDR, to provide records incrementally, to exempt review, to provide records electronically, and to use computer technology to reduce cost.
(action item) (attachment)

4. 06009 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged untimely response, failure to respond to a IDR, to provide records incrementally, to exempt review, to provide records electronically, and to use computer technology to reduce cost.
(action item) (attachment)

5. 06017 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health-Community Advisory Board for alleged failure to post meeting notices and agendas on the web and local publications, and failure to post agendas and minutes of its meetings.
(action item) (attachment)

6. 06018 Determination of jurisdiction of complaint filed by Daisy Anarchy against the Entertainment Commission for alleged improper meeting notice, failure to post meeting agendas and minutes, and failure to allow public comment.
(action item) (attachment)

7. Administrator's Report.
(attachment)

8. Public comment for items not listed on the agenda.
(no action) (no attachment)

9. Announcements, questions, and future agenda items from the Committee members
(no attachment)

Adjournment Next Regular Meeting November 14, 2006

**THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244**

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1. Complainant presents his/her facts and evidence 5 minutes

Other parties of Complainant presents facts & evidence Up to 3 minutes each

2. City responds 5 minutes

Other parties of City respond Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3. Complainant presents rebuttal 3 minutes

4. Public comment Up to 3 minutes each

(Excluding Complainant & City response, witnesses)

5. Matter is with the Task Force for discussion and deliberation

6. Vote by Task Force

Note: Time must be adhered to

If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Board of Supervisors
Sunshine Ordinance Task Force

October 10, 2006

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MINUTES

SF
S88.3
#2
10/10/06

Tuesday, October 10, 2006

4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:01 p.m.

Roll Call: Present: Cauthen, Chu, Goldman

Absent: Wolfe

Agenda Changes: Items #3 & #4 were heard after item #6

Deputy City Attorney: Ernie Llorente

Clerk : Linda Wong

1. Amendments to the minutes of July 11, 2006.

   Continued to the November meeting so that the Administrator and Member Wolfe could be present.

   Without objections.

   Speakers: None

2. Approval of minutes of September 12, 2006. (action item) (attachment)

   Speakers: Peter Warfield, praised and encouraged the Committee to continue to include the summary of what the public said during public comment in the meeting minutes.

   Kimo Crossman, concurred with Peter Warfield regarding the quality of the minutes.

Clarified his Immediate Disclosure Request (IDR) to Deputy City Attorney Paul Zarefsky that occurred during the meeting and requested that the minutes be amended.

Chair Cauthen, without objections, instructed the clerk to amend the minutes in item #8 of Mr. Crossmans public comment to state that Mr. Crossman made an IDR, which Mr. Pilpel felt was not reasonable.

Motion to approve minutes of September 12, 2006. (Goldman/Cauthen)

Ayes: Cauthen, Chu, Goldman

Absent: Wolfe

3. 06008 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged untimely response, failure to respond to a IDR, to provide records incrementally, to exempt review, to provide records electronically, and to use computer technology to reduce cost. (action item) (attachment)

Speakers: Kimo Crossman, Complainant. Peter Warfield stated that the Sunshine Ordinance requires the presence of departments at hearings of the Task Force; asked if the Committee is enforcing the appearance of department's at every hearing, and urged the Committee to allow the Complainant his 3-minute rebuttal.

Motion to recommend jurisdiction. (Goldman/Cauthen)

Ayes: Cauthen, Chu and Goldman

Absent: Wolfe

4. 06009 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged untimely response, failure to respond to a IDR, to provide records incrementally, to exempt review, to provide records electronically, and to use computer technology to reduce cost. (action item) (attachment)

Speaker: Kimo Crossman, Complainant. Peter Warfield, stated that according to the Sunshine Ordinance, the presence of the departments is required and that he disagrees with the Chair and those who think it is the best interest for the department to attend the meeting because it puts the Complainant at a disadvantage of not knowing what the department's defend will be.

Member Chu requested the Clerk to ask the Administrator to obtain written confirmation from the Department of Telecommunications and Information Services regarding its attendance at the next full Task Force meeting.

Motion to recommend jurisdiction. (Goldman/Chu)

Ayes: Cauthen, Chu, Goldman

Absent: Wolfe

5. 06017 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health-Community Advisory Board for alleged failure to post meeting notices and agendas on the web and local publications, and failure to post agendas and minutes of its meetings. (action item) (attachment)

Speakers: Michael Petrelis, Complainant; Matthrew Florence, CAB Administrator, Department of Public Health. Hank Wilson agreed with the Complainant that the body should have public transparency and recommended the name of the group be changed to Department of Public Health-Community Board. Robert Reinhard spoke in favor of the department and also recommended the name of the group be changed to Department of Public Health-Community Board.

Chair Cauthen urged Dr. Susan Buchbinder, Director, HIV Vaccine Trials to attend the next full Task Force hearing.

Motion to recommend jurisdiction. (Cauthen / Chu)

Ayes: Cauthen, Chu, Goldman

Absent: Wolfe

6. 06018 Determination of jurisdiction of complaint filed by Daisy Anarchy against the Entertainment Commission for alleged improper meeting notice, failure to post meeting agendas and minutes, and failure to allow public comment. (action item) (attachment)

Speakers: Daisy Anarchy, Complainant; Robert Davis, Executive Director, Entertainment Commission. A female speaker spoke in favor of the Complainant, said the Commission cancelled a meeting at the very last minute without sending proper notifications to the public. Kimo Crossman stated that any meeting with the Mayor is a passive meeting and public attendance should be allowed and pointed out that if there is a quorum of people on a subcommittee, that would make a passive meeting.

Chair Cauthen asked Ms. Anarchy, if possible, to ask someone who was in the overflow room to testify at the full Task Force meeting, to submit a list of the specific violations that occurred on the specific dates, and to bring a copy of the videotape of the meeting that she was prohibited from attending.

Motion to recommend jurisdiction. (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

Absent: Wolfe

7. Administrator's Report.

Speakers: Kimo Crossman, spoke about Clerk of the Boards (COB) August 1, letter in response to the Task Force's concerns regarding staff support. He urged the Committee to provide comments to the Chair at the BOS Budget Committee regarding Clerk's Office administrative staff support to the Task Force, and encouraged the Committee to allow the public to provide written response to the City Attorney's Order of Determination letter(s).

Continued to the next meeting, without objections.

8. Public comment for items not listed on the agenda.

Speakers: Peter Warfield, indicated that pursuant to Administrative Code Section 67.21 (e), departments are required to attend any hearing and explain the basis for their decision to withhold the records requested; urged the Task Force to enforce this section.

Kimo Crossman, spoke regarding the Clerk's Office's refusal to provide the Sunshine

Ordinance to the public in Word format.

Member Goldman stated that he would write a letter to the full Task Force to urge the enforcement of Section 67.21 (e).

9. Announcements, questions, and future agenda items from the Committee members.

Speakers: None

Adjournment The meeting was adjourned at 5:56 PM

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, November 14, 2006
4:00 p.m., City Hall, Room 406

SF
88.3
1
11/14/06

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order; Roll Call; Agenda Changes

1. Amendments to the minutes of July 11, 2006. (Discussion and possible action or Continuance for further action) (attachment)

2. Approval of minutes of October 10, 2006. (action item) (attachment)

3. 06019 Determination of jurisdiction of complaint filed by San Francisco Survival Manual on behalf of Dr. Wayne Lanier against the Mayor's Officer for alleged failure to provide requested records. (action item) (attachment)

4. 06020 Determination of jurisdiction of complaint filed by Veronica Gaynor against Office of Supervisor Tom Ammiano for alleged failure to provide all requested records. (action item) (attachment)

5. 06021 Determination of jurisdiction of complaint filed by Steve Lawrence against the San Francisco Public Utilities Commission for alleged failure to provide requested records. (action item) (attachment)

6. Administrator's Report. (attachment)

7. Public comment for items not listed on the agenda. (no action) (no attachment)

8. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting December 12, 2006**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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6.	Vote by Task Force	

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Board of Supervisors
Sunshine Ordinance Task Force

November 14, 2006

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MINUTES

SF
S88.3
#2
11/14/06

Tuesday, November 14, 2006

4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

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Call to Order: 4:01 p.m.

Roll Call: Present: Cauthen, Chu, Goldman, Wolfe (arrived at 4:10)

Agenda Changes: Item #4 and #5 were withdrawn by the complainants

Deputy City Attorney: Ernie Llorente

Administrator : Frank Darby

Agenda Changes:

Chair Cauthen informed members that complaints 06020 and 06021 were withdrawn. With regards to the Gaynor complaint Chair Cauthen said that she will request that Chair Comstock, through the Task Force, write a letter to departments requesting that any staff who deal with the public receive Sunshine training. This may prevent/reduce complaints filed against departments.

1. Amendments to the minutes of July 11, 2006.

Chair Cauthen informed the Members that after listening to the tape of the meeting that the minutes need to be amended because the Administrator did not make the identified statement regarding staff support.

Administrator Darby stated that he will notify the Committee in advance of his absence for a meeting and will do his best to ensure that support is provided in his absence.

Speakers: None

Motion to amend the minutes of July 11, 2006 for item #4 to replace the statement that says, "…the Administrator agreed to provide support at future meetings" with the following: "...the Members expressed a strong wish to have full time support during meetings, and to be notified in advance if the Administrator will be absent for a meeting." (Goldman / Wolfe)

Ayes: Cauthen, Chu, Wolf, Goldman

2. Approval of minutes of October 10, 2006. (action item) (attachment)

Speakers: None

Motion to approve minutes of October 10, 2006. (Cauthen / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

3. 06019 Determination of jurisdiction of complaint filed by San Francisco Survival Manual on behalf of Dr. Wayne Lanier against the Mayor's Officer for alleged failure to provide requested records.

Speakers: Christian Holmer, Complainant stated that all documents have not been provided; Joe Arellano, Mayors Office of Communications said that calendar entries for March 3 to July 14, 2006 were provided, but not in a timely manner; that calendar entries for July 15 through November 6, 2006 is being compiled.

Chair Cauthen asked Deputy City Attorney (DCA) Llorente to address what Section 67.29-5 of the Ordinance requires. DCA Llorente, responded that the Ordinance requires the Mayor to maintain daily calendars and to make it available by request three business days after the calendar entry date.

Motion to recommend jurisdiction of complaint filed by San Francisco Survival Manual on behalf of Dr. Wayne Lanier against the Mayor's Officer for alleged failure to provide requested records and to respond in a timely manner. (Goldman / Wolfe)

Ayes: Cauthen, Chu, Wolfe, Goldman

4. 06020 Determination of jurisdiction of complaint filed by Veronica Gaynor against Office of Supervisor Tom Ammiano for alleged failure to provide all requested records.

Withdrawn by the complainant prior to the meeting.

5. 06021 Determination of jurisdiction of complaint filed by Steve Lawrence against the San Francisco Public Utilities Commission for alleged failure to provide requested records.

Withdrawn by the complainant prior to the meeting.

6. Administrator's Report.

Speakers: None

The Administrator made the report.

7. Public comment for items not listed on the agenda.

Speakers: None

8. Announcements, questions, and future agenda items from Committee members.

Speakers: None

Adjournment The meeting was adjourned at 4:45 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, December 12, 2006
4:00 p.m., City Hall, Room 406

SF
S88.2
#1
12/12/06

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order; Roll Call; Agenda Changes

1. Approval of minutes of November 14, 2006. (action item) (attachment)

2. 06022 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health for alleged failure to make minutes available. (action item) (attachment)

3. 06023 Determination of jurisdiction of complaint filed by Hima B. against the Entertainment Commission for alleged failure to allow attendance at a public meeting, improper meeting notice, and failure to allow public comment. (action item) (attachment)

4. 06024 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health – HIV Prevention Planning Council for alleged failure to allow public comment and photographing during its meetings. (action item) (attachment)

5. 06026 Determination of jurisdiction of complaint filed by Kimo Crossman against the Clerk of the Board of Supervisors for alleged failure to provide public record in original electronic format requested, and not providing a legal reason. (action item) (attachment)

6. 06027 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide public record e-mail documents and not minimally redacting information. (action item) (attachment)

7. 06029 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board of Supervisors alleging that the Administrator is not a full time position. (action item) (attachment)

8. 06030 Determination of jurisdiction of complaint filed by Kimo Crossman against the Clerk of the Board of Supervisors alleging a violation by the Department head for deleting e-mail communications advice from the City Attorney (action item) (attachment)

9. Administrator's Report. (attachment)

10. Public comment for items not listed on the agenda. (no action) (no attachment)

11. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting January 9, 2006**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be made a part of the official public record. (*Section 67.7-1 (c)*)

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each

5. Matter is with the Task Force for discussion and deliberation
6. Vote by Task Force

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

Cell phones, pagers and similar sound-producing electronic devices: **The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.**

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Frank Darby by mail to Interim Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at sotf@sfgov.org.

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Board of Supervisors
Sunshine Ordinance Task Force

December 12, 2006

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MINUTES

SF
S88.3
#2
12/12/06

Tuesday, December 12, 2006

4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:07 p.m.

Roll Call: Present: Cauthen, Chu, Goldman, Wolfe (arrived at 4:12)

Agenda Changes: Items were heard in the following order #1, 5, 2, 3, 10, 4, 6-9, 11

Deputy City Attorney: Rosa Sanchez

Administrator : Frank Darby

1. Approval of minutes of November 14, 2006.

Speakers: None

Motion approving minutes of November 14, 2006. (Cauthen / Goldman)

Ayes: Cauthen, Chu, Goldman

Absent: Wolfe

2. 06022 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health for alleged failure to make minutes available.

Chair Cauthen asked Mr. Petrelis if this complaint could be combined with complaint #06024 and he said that they could. Mr. Loyce asked that the complaints not be combined since they refer to separate entities. By consensus of the Committee, the

complaints were not consolidated.

Speakers: Michael Petrelis, Complainant; James Loyce, Department of Public Health; Parties of the City: Mike Smith said that their mission is a planning process to bring the community together and they are not setting policy. Perry Rose said that attendance is not mandated. Bret Andrews said that they meet at 25 Van Ness out of convenience and that they are a planning body only. Gail Burns said meetings are informal; that they are planning for the future and or not hiding anything. Lance Toma said they are a community leadership body; that they seek funding from both private and public sources.

Kimo Crossman said that he supports jurisdiction because he feels departments are creating transparent working groups.

Motion to recommend jurisdiction. (Wolfe / Cauthen)

Ayes: Cauthen, Chu, Wolfe, Goldman

Chair Cauthen asked the parties if they were willing to expedite the complaint to the December 20, 2006 Special meeting of the Task Force. Mr. Petrelis supported expediting the complaint. Mr. Loyce did not support expediting the complaint. By consensus of the Committee, the complaint was not expedited.

3. 06023 Determination of jurisdiction of complaint filed by Hima B. against the Entertainment Commission for alleged failure to allow attendance at a public meeting, improper meeting notice, and failure to allow public comment.

Speakers: Bob Davis, Entertainment Commission.

The Administrator reminded Chair Cauthen of Hima B.'s request that her complaint be combined with complaint #06018 filed by Daisy Anarchy, if jurisdiction is determined. Chair Cauthen asked Mr. Davis if he agreed to combine the complaints, and he agreed.

Motion to recommend jurisdiction. (Wolfe / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

Motion to combine the complaint of Hima B. with complaint #06018 filed by Daisy Anarchy. (Wolfe / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

4. 06024 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health – HIV Prevention Planning Council for alleged failure to allow public comment and photographing during its meetings.

Speakers: Michael Petrelis, Complainant; Tracy Packer, Interim Director of HIV Prevention; Parties of the City: Perry Rose said that there are protocols in place to ensure an orderly meeting. Gail Burns said that they meet at the Quaker Building and that rules are in place to prevent intimidation by attendees.

The Committee, by consensus, accepted the request from Mr. Petrelis to sever his allegation for failure to allow "photographing during meetings" until the January 9, meeting of the Committee regarding complaint #06031 filed by Cynthia Laird.

Motion to recommend jurisdiction of complaint filed by Michael Petrelis against the

Department of Public Health – HIV Prevention Planning Council for alleged failure to allow public comment by not allowing the public to handout documents to Council Members. (Goldman / Wolfe)

Ayes: Cauthen, Chu, Wolfe, Goldman

Chair Cauthen asked the parties if they were willing to expedite the complaint to the December 20, 2006 Special meeting of the Task Force. Mr. Petrelis supported expediting the complaint. Ms. Packer did not support expediting the complaint. By consensus of the Committee, the complaint was not expedited.

5. 06026 Determination of jurisdiction of complaint filed by Kimo Crossman against the Clerk of the Board of Supervisors for alleged failure to provide public record in original electronic format requested, and not providing a legal reason.

Speakers: Kimo Crossman, Complainant; Gloria Young, Clerk of the Board of Supervisors

Allen Grossman, in support of jurisdiction, said that whether the COB can substitute PDF for another format has rejected by the Task Force; that the Rules Committees discussion on the matter does not have any relevance on the Ordinance.

Motion to recommend jurisdiction. (Wolf / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

Chair Cauthen asked the parties if they were willing to expedite the complaint to the December 20, 2006 Special meeting of the Task Force. Both parties agreed to expedite the complaint. By consensus of the Committee, the complaint was expedited.

6. 06027 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide public record e-mail documents and not minimally redacting information.

Speakers: Kimo Crossman, Complainant; Kathryn Hile, Department of Telecommunications and Information Services

Motion to recommend jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide public record e-mail documents, not minimally redacting information, and untimely response. (Wolfe / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

Chair Cauthen asked the parties if they were willing to expedite the complaint to the December 20, 2006 Special meeting of the Task Force. Mr. Crossman supported expediting the complaint. Ms. Hile did not support expediting the complaint. By consensus of the Committee, the complaint was not expedited.

7. 06029 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board of Supervisors alleging that the Administrator is not a full time position.

The Committee, after hearing objections from Mr. Crossman, by consensus excused the Administrator from clerking the meeting.

Chair Cauthen expressed disapproval with the Clerks Office for not having someone clerk the meeting in the absence of the Administrator.

Speakers: Kimo Crossman, Complaint; Gloria Young, Clerk of the Board of Supervisors; Frank Darby, Sunshine Ordinance Task Force Administrator.

Allen Grossman said that if the Administrator is not full time that the Task Force can't perform all of its functions, and should deal with this matter.

Michael Petrellis said that he is disappointed with the October minutes of the Task Force for not having enough detail regarding his complaint against the DPH-CAB.

Motion to recommend jurisdiction. (Wolfe / Cauthen)

Ayes: Cauthen, Chu, Wolfe, Goldman

Chair Cauthen asked the parties if they were willing to expedite the complaint to the December 20, 2006 Special meeting of the Task Force. All parties agreed to expedite the complaint. By consensus of the Committee, the complaint was expedited.

8. 06030 Determination of jurisdiction of complaint filed by Kimo Crossman against the Clerk of the Board of Supervisors alleging a violation by the Department head for deleting e-mail communications advice from the City Attorney.

Speakers: Kimo Crossman, Complaint; Gloria Young, Clerk of the Board of Supervisors.

Allen Grossman said that the deleted e-mail was an opinion from the City Attorney and not simply an authored letter.

Motion to recommend jurisdiction. (Chu / Goldman)

Ayes: Cauthen, Chu, Goldman

Absent: Wolfe

9. Administrator's Report.

Speakers: None

The Administrator made the report.

10. Public comment for items not listed on the agenda.

Speakers: Kimo Crossman said the Board of Supervisors reversed the motion by the Clerk of the Board regarding submitting the Boards electronic records in PDF.

11. Announcements, questions, and future agenda items from Committee members.

Speakers: None

Adjournment The meeting was adjourned at 6:06 PM

This meeting has been audio recorded and is on file in the office of the Sunshine

Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, January 9, 2007
2:30 p.m., City Hall, Room 408

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

F
88.3
1
1/9/07

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of December 12, 2006. (action item) (attachment)

2. 06025 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide documents in original electronic format on a timely basis. (action item) (attachment)

3. 06028 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator for alleged illegal redaction of email addresses and filename paths (action item) (attachment)

4. 06031 Determination of jurisdiction of complaint filed by Cynthia Laird against the Department of Public Health – HIV Prevention Planning Council for alleged failure to allow photographing during its meeting. (action item) (attachment)

5. 06032 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health – HIV Prevention Planning Council for allegedly changing the agenda, without advance notice (action item) (attachment)

6. 06033 Determination of jurisdiction of complaint filed by Mary McGuire against the Taxi Commission for alleged violation of Section 67.7-1 for failure to provide 72 hours notice of its meeting on the web and not posting the meeting notice outside of the meeting room. (action item) (attachment)

7. 06034 Determination of jurisdiction of complaint filed by Jason Garza against the Department of Public Health-SF General Hospital for alleged denial of records. (action item) (attachment)

8. Administrator's Report. (attachment)

9. Public comment for items not listed on the agenda. (no action) (no attachment)

10. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting February 13, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Frank Darby by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at sotf@sfgov.org.

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January 9, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, January 9, 2007
2:30 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 2:45 p.m.

Roll Call: Present: Cauthen, Wolfe, Goldman

Excused: Chu

Agenda Changes: Item #5 was continued by both parties prior to the meeting.

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby

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1. Approval of minutes of December 12, 2006.
Speakers: None
Motion approving minutes of December 12, 2006. (Wolfe / Goldman)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

2. 06025 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide documents in original electronic format on a timely basis.
Speakers: Ron Vinson, Respondent, Department of Telecommunications and Information Services
Allen Grossman for Complainant, said that there is no issue since DTIS has agreed to jurisdiction.
Motion to recommend jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

3. 06028 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator for alleged illegal redaction of email addresses and filename paths.
Chair Cauthen clerked the meeting.
Speakers: Frank Darby, Sunshine Ordinance Task Force Administrator did not contest jurisdiction. He stated that since the Task Force sits in a quasi-judicial capacity that the Task Force may need to be recused from hearing the complaint because Mr. Crossman has had ex parte communications with a majority of its members regarding this complaint, outside of the hearing, by providing information that Mr. Crossman feels supports his complaint, that this communication violates due process and may cause the Task Force to be partial in or taint its decision.
Chair Cauthen said that there is a concern that a seriatim meeting might be called and asked Deputy City Attorney Llorente to respond.
Deputy City Attorney Llorente responded that once a person is a party to an action that ex parte communications should cease because there would be a due process issue; that members would be receiving information from one side, which the other party may not be aware of, that information should be received at the same time so that there is no favoritism or selective provision of information; that the hearing process should be fair and give the appearance of fairness. He recommended that Chair Cauthen and Chair Comstock speak to Mr. Crossman and inform him not to have communications with Members regarding matters that he has filed that are presently before the Task Force.
Chair Cauthen asked Mr. Darby to express his concern to the Chair and the full Task Force at the meeting.
Member Wolfe, asked DCA Llorente how ex parte communications by Task Force members are different from the Board who at times sits as a quasi-judicial body.
Deputy City Attorney Llorente stated that the Task Force is in a different classification because Board Members have multiple roles, which require personal interaction with their constituents. However, when hearing a case Board Members have an obligation to notify other members that this communication has taken place and to disclose what that information is. He said that the Task Forces function is to hear complaints so more caution is needed in how information is received.
Motion to recommend jurisdiction. (Goldman / Cauthen)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

4. 06031 Determination of jurisdiction of complaint filed by Cynthia Laird against the Department of Public Health – HIV Prevention Planning Council for alleged failure to allow photographing during its meeting
Speakers: Cynthia Laird, Complaint; Tracey Packer, Interim Director of HIV Prevention, Department of Public Health
Rick Gerharter, in support of complaint, said that he attended the meeting for the purpose of photographing only and not to participate or speak and asked for a finding of jurisdiction.
Motion to recommend jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

5. 06032 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health – HIV Prevention Planning Council for allegedly changing the agenda, without advance notice
Speakers: None
Continued by agreement of both parties prior to the meeting.

6. 06033 Determination of jurisdiction of complaint filed by Mary McGuire against the Taxi Commission for alleged violation of Section 67.7-1 for failure to provide 72 hours notice of its meeting on the web and not posting the meeting notice outside of the meeting room.
Speakers: Mary McGuire, Complaint; Jordanna Thigpen, Deputy Director, Taxi Commission
Charles Rapp Taxi Driver in support of the Complainant confirmed that there was a lack of notice and urged jurisdiction.
Motion to recommend jurisdiction. (Wolfe / Goldman)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

7	06034	Determination of jurisdiction of complaint filed by Jason Garza against the Department of Public Health-SF General Hospital for alleged denial of records. Speakers: Jason Garza, Complainant; Bertha Dae, Risk Manager, Department of Public Health The Administrator informed the Chair that he received an envelope from the department containing documents to give to Mr. Garza but that Mr. Garza refused to accept them. Chair Cauthen asked Mr. Garza if he was willing to accept the documents and he said that he would. The documents were given to Mr. Garza. Motion to recommend jurisdiction. (Goldman / Wolfe) Ayes: Cauthen, Wolfe, Goldman Excused: Chu
8.		Administrator's Report. Speakers: None The Administrator made the report.
9.		Public comment for items not listed on the agenda. Speakers: Allen Grossman, said that the Mayor is not supportive of Sunshine because it is difficult to get records from the Mayor's Office.
10.		Announcements, questions, and future agenda items from Committee members. Speakers: None

Adjournment The meeting was adjourned at 4:00 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, February 13, 2007
4:00 p.m., City Hall, Room 408

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Call to Order; Roll Call; Agenda Changes

1. Approval of minutes of January 9, 2006. (action item) (attachment)

2. 06032 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health – HIV Prevention Planning Council for allegedly changing the agenda without advance notice. (action item) (attachment)

3. 06035 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board of Supervisors alleging that the Administrator is not a full time position. (action item) (attachment)

4. 07001 Determination of jurisdiction of complaint filed by Debra Ward against the Municipal Transportation Agency for alleged failure to provide records requested. (action item) (attachment)

5. 07002 Determination of jurisdiction of complaint filed by Kimo Crossman against the Mayor's Office for alleged failure to allow inspection of the Mayor's Calendar and failure to retain correspondence and calendar information (action item) (attachment)

6. 07003 Determination of jurisdiction of complaint filed by Steven Lawrence against the Public Utilities Commission for alleged incomplete production of documents and untimely response. (action item) (attachment)

7. 07004 Determination of jurisdiction of complaint filed by Steven Lawrence against the Public Utilities Commission for alleged failure to respond to a records request, not minimally redacting and untimely response (action item) (attachment)

8. 07005 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to respond in a timely manner. (action item) (attachment)

9. 07006 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator for alleged illegal redaction of email addresses and filename paths (action item) (attachment)

10. 07007 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged untimely response, failure to provide passive meeting notice, failure to provide records, and not incrementally delivering records. (action item) (attachment)

11. 07008 Determination of jurisdiction of complaint filed by Kimo Crossman against the Public Utilities Commission for alleged failure to provide requested records, untimely response, and official misconduct. (action item) (attachment)

12. Administrator's Report. (attachment)

13. Public comment for items not listed on the agenda. (no action) (no attachment)

14. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting March 13, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Frank Darby by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at sotf@sfgov.org.

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February 13, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, February 13, 2007
4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:02 p.m.

Roll Call: Present: Cauthen (arrived at 4:03), Chu, Wolfe, Goldman

Agenda Changes: Item #13 was heard after item #5.

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby

Member Goldman Chaired the meeting in the absence of Chair Cauthen.

Acting Chair Goldman expressed a desire to stipulate jurisdiction on item #3 and #9, since jurisdiction was accepted under a prior filing and there is no new information provided by the complainant or respondent. He asked DCA Llorente how the Committee might proceed.

DCA Llorente responded that the Committee could ask the parties if they had any new information and if not the Committee could stipulate jurisdiction.

1. Approval of minutes of January 9, 2007.

Speakers: Kimo Crossman said that he disagreed with the assertion in the minutes that he is having ex-parte communications or creating a seriatim meeting because he is not a member of the committee, that the Task Force is not a quasi-judicial body but is just a Citizen Advisory Committee.

Motion approving minutes of January 9, 2007. (Wolfe / Goldman)

Ayes: Chu, Wolfe, Goldman

2. 06032 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health – HIV Prevention Planning Council for allegedly changing the agenda, without advance notice

Speakers: Tracey Packer, Department of Public Health said that a representative of CDC, Walker Chow was introduced and made brief comments but no action was taken. Michael Petrelis, Complainant, said that Mr Chow should have spoken during the public comment period.

Motion to recommend jurisdiction. (Chu / Wolfe)

Ayes: Chu, Wolfe, Goldman

Excused: Cauthen

3. 06035 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board of Supervisors alleging that the Administrator is not a full time position

Speakers: Kimo Crossman, Complainant, requested a finding of jurisdiction; Frank Darby, Administrator Sunshine Ordinance Task Force stipulated to jurisdiction.

Motion to recommend jurisdiction. (Wolfe / Chu)

Ayes: Chu, Wolfe, Goldman

Excused: Cauthen

4. 07001 Determination of jurisdiction of complaint filed by Debra Ward against the Municipal Transportation Agency for alleged failure to provide records requested.

Speakers: Debra Ward, Complainant, said she was denied a copy of an e-mail that was read to her, which contained no privileged or confidential information; Rumi Ueno, Municipal Transportation Agency, said that Ms Ward was responded to as a member of the public and the substance of the e-mail would not ordinarily be released to a member of the public.

Motion to recommend jurisdiction. (Wolfe / Goldman)

Ayes: Chu, Wolfe, Goldman

Excused: Cauthen

5. 07002 Determination of jurisdiction of complaint filed by Kimo Crossman against the Mayor's Office for alleged failure to allow inspection of the Mayor's Calendar and failure to retain correspondence and calendar information

Kimo Crossman said that this complaint was originally filed as two separate complaints and asked that it be separated.

The complaint was separated by consensus of the Committee.

Speakers: Kimo Crossman, Complainant requested a finding of jurisdiction; Allen Grossman in support of the complainant said that there is something lost when you try to combine two separate issues. Joe Arellano, Mayor's Office of Communications requested that the complaint be denied.

Motion to recommend jurisdiction of complaint filed by Kimo Crossman against the Mayor's Office for allegeo failure to allow inspection of the Mayor's Calendar. (Chu / Cauthen)

Ayes: Cauthen, Chu, Wolfe, Goldman

Speakers: Kimo Crossman, Complainant, requested a finding of jurisdiction; Joe Arellano, Mayor's Office of Communications requested that the complaint be denied.

Allen Grossman said that anything in the working calendar related to the role of the Mayor as a elected official should be kept.

Motion to recommend jurisdiction of complaint filed by Kimo Crossman against the Mayor's Office for alleged failure to retain correspondence and calendar information. (Wolfe / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

Acting Chair Goldman turned further order of the meeting to Chair Cauthen

6. 07003 Determination of jurisdiction of complaint filed by Steven Lawrence against the Public Utilities Commission for alleged incomplete production of documents and untimely response.

Chair Cauthen asked Mr. Lawrence if he wanted to combine his two complaints (07003 and 07004), but he requested that they remain separate.

Speakers: Steven Lawrence, Complainant said that all of the records requested were not provided. Diane Parker, Public Utilities Commission, asked that this item be tabled so that she can speak with Mr. Lawrence to resolve the matter before going to a full hearing.

Motion to recommend jurisdiction. (Goldman / Wolfe)

Ayes: Cauthen, Chu, Wolfe, Goldman

7 07004

Determination of jurisdiction of complaint filed by Steven Lawrence against the Public Utilities Commission for alleged failure to respond to a records request, not minimally redacting and untimely response.

Speakers: Steven Lawrence, Complainant, requested a finding of jurisdiction and said that he has not received a redaction policy. Diane Parker, Public Utilities Commission, said records were provided, that it isn't their intent to delay responding to requests; that she no knowledge of a redaction policy or procedures

Kimo Crossman alleged that Mr. Lawrence is being mistreated although he is a member of the CAC, that a redaction policy should be in writing.

Chair Cauthen asked Ms. Parker to provide the full Task Force with a copy of their written redaction policy and that someone knowledgeable about the policy should attend the full Task Force hearing to discuss it

Motion to recommend jurisdiction. (Goldman / Wolfe)

Ayes: Cauthen, Chu, Wolfe, Goldman

8. 07005

Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to respond in a timely manner

Member Wolfe asked to be recused due to his personal participation and interest in this item.

Motion to recuse Member Wolfe. (Cauthen / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

Chair Cauthen asked Mr. Crossman if he was willing to combine his two complaints (07005 and 07007). Mr Crossman agreed to combine the complaints.

Complaint #07005 and 07007 were combined by consensus of the Committee

Speakers: Kimo Crossman, Complainant requested a finding of jurisdiction, Ron Vinson, Department of Telecommunications and Information Services, recommended jurisdiction.

Chair Cauthen asked Mr. Crossman to provide a list of exactly what the issues are.

Motion to recommend jurisdiction filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to respond in a timely manner, failure to provide passive meeting notice, failure to provide records, and not incrementally delivering records. (Goldman / Cauthen)

Ayes: Cauthen, Chu, Goldman

Recused: Wolfe

9 07006

Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator for alleged illegal redaction of email addresses and filename paths

Motion to stipulate jurisdiction (Goldman / Wolfe)

Allen Grossman, approached the lectern and said that there is new matter on the item that he wanted to address

Chair Cauthen asked DCA Llorente regarding procedures. DCA Llorente responded that if there is new information the Complainant needed to indicate it, but he is not aware of anything new in the complaint

Chair Cauthen asked Mr. Crossman to comment

Kimo Crossman, Complainant, indicated that he submitted examples of redacted e-mails but is aware that Mr Grossman has new material to submit

Member Goldman responded that Mr. Crossman is the complainant and not Mr. Grossman

Member Chu asked Mr. Crossman whether the letter from Mr. Grossman would affect the Committees finding of jurisdiction. Mr. Crossman responded that he wanted Mr. Grossman to present the information

Member Wolfe asked Mr. Crossman if the matter was a new complaint. Mr. Crossman said no, but that Mr Grossman submitted relevant information that he feels should be heard.

Member Wolfe asked Mr. Crossman if the letter changes the entire complaint. Mr. Grossman responded that it changes what goes with the complaint.

Member Wolfe asked if it would change how the Committee voted on jurisdiction. Mr. Grossman responded no.

Mr. Grossman said that he didn't want to interfere with the process, but that he wanted to point out that when a document is provided to the Task Force it should be included in the packet.

Member Wolfe asked if the document was something that Mr. Crossman is submitting as part of his complaint. Mr. Grossman responded no

Member Goldman responded to Mr. Grossman that he is not the Complainant so he cannot amend the complaint. Mr. Grossman responded that he might be out of order as a member of the public. Member Goldman informed Mr. Grossman to speak during public comment

Chair Cauthen asked Mr. Darby to comment

Frank Darby, Administrator, Sunshine Ordinance Task Force said that he had no new information and stipulated jurisdiction. He said that Mr. Grossman submitted a document yesterday (700+ words) that questioned the Administrator's response letter to the Task Force, which is not in the packet

Chair Cauthen explained that the rules indicate that the Complainant files the documents not non-complainants, and asked DCA Llorente for confirmation. DCA Llorente confirmed Chair Cauthen's statement saying that it's the interested parties who should submit the information.

Chair Cauthen informed Mr. Grossman that he could give the letter to Mr. Crossman who can then submit it as part of his complaint.

Mr Crossman asked to provide public comment since he didn't had a chance to comment. Chair Cauthen said that he was not the public but a real party in action, and that he could have a rebuttal

Kimo Crossman said that he wanted to add Mr. Grossman as a co-complainant; that the letter submitted by the Administrator was written by the City Attorney's Office (CAO) and is a violation of the ordinance. He said that the letter should not be allowed.

Chair Cauthen asked DCA Llorente about the role of the CAO regarding complaints. DCA Llorente responded that the CAO can advise City departments and can provide legal advice to the point of providing information in the form of a letter that can be signed by the department. The Department can not be represented by the CAO before the Task Force hearings but under the charter they have a right to advise departments.

Allen Grossman, in public comment, said that he doesn't dispute that the CAO can advise departments regarding complaint matters, but that the CAO should not advocate for departments. He said that the ghost letter with legal citations written for departments by the CAO is unfair and prejudicial.

Motion to stipulate jurisdiction (Goldman / Wolfe)

Ayes: Cauthen, Chu, Wolfe, Goldman

10 07007

Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged untimely response, failure to provide passive meeting notice, failure to provide records, and not incrementally delivering records.

Previously combined with Item #8.

11 07008

Determination of jurisdiction of complaint filed by Kimo Crossman against the Public Utilities Commission for alleged failure to provide requested records, untimely response, and official misconduct.

Speakers: Kimo Crossman, Complainant asked for a finding of jurisdiction; Diane Parker, Public Utilities

Commission, said that the department does not contest jurisdiction; that they contest the merits of Mr Crossman's complaint requesting the private, personal e-mail addresses of Commissioners, which are not subject to disclosure.

Motion to recommend jurisdiction. (Goldman / Cauthen)

Ayes: Cauthen, Chu, Wolfe, Goldman

By agreement of both parties this item will be heard at the March 27, full Task Force meeting.

12. Administrator's Report.

Speakers: None

The Administrator made the report.

Chair Cauthen asked the Administrator if a formal complaint was filed by Mr. Chaffee. The Administrator said that no complaints had been filed although complaint forms had been sent to Mr. Chaffee three times, that he had filled in the last form and asked Mr. Chaffee to sign indicating that he wanted a hearing.

Kimo Crossman said that he is not happy that the Administrator is combining complaints. He urged the Task Force to ask the Administrator to digitally record the meeting and to post the recording on the web. He asked that Mr. Grossman be listed as a co-complainant on complaint #07006. He's disappointed that Mr. Grossman's letter was not distributed to the members as requested.

Member Cauthen asked DCA Llorente if the complaint could be amended to add the co-complainant. DCA Llorente responded that the matter before the Committee is the Administrators report, and that the matter brought by Mr. Crossman was inappropriate and had already been addressed.

Member Cauthen informed Mr. Crossman that he could withdraw and resubmit the complaint in March to include Mr. Grossman as a co-complainant. Mr. Crossman said he wanted to proceed with the current complaint.

13. Public comment for items not listed on the agenda.

Speakers: Kimo Crossman said that it's standard for calendars of City officials to show future meetings and not just the Prop G calendar.

Steven Lawrence said that the complaint process is more difficult than it needs to be, that he is unable to contact the Administrator; that the web site has no contact information and does not allow filing on-line.

Member Wolfe informed Mr. Lawrence that complaints can be filed on-line and that contact information is on the web site including the e-mail address.

14. Announcements, questions, and future agenda items from Committee members.

Member Chu asked if the complaint process could be streamlined since most complaints are ordinarily have Task Force jurisdiction.

Chair Cauthen asked that the matter be agendized for the March meeting re: Discussion on how to streamline the complaint process.

Speakers: Kimo Crossman said that it is difficult to come to the meetings but generally finds the process useful.

Adjournment The meeting was adjourned at 6:31 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force.

Sunshine Ordinance Task Force

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San Francisco 94102-4689
Tel. No. 554-7724
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, March 13, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of February 13, 2007. (action item) (attachment)

2. 07009 Determination of jurisdiction of complaint filed by Kimo Crossman against the Mayor's Office of Communications for alleged failure to provide requested emails and email addresses, and failure to provide information incrementally and official misconduct. (action item) (attachment)

3. 07010 Determination of jurisdiction of complaint filed by Allen Grossman against the City Attorney's Office for alleged failure to respond in a timely manner, failure to provide records request in original electronic format (MS Word), and failure to provide an exact copy of the records requested. (action item) (attachment)

4. 07011 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sheriff's Office for alleged failure to provide video records requested. (action item) (attachment)

5. 07012 Determination of jurisdiction of complaint filed by Dave Tognotti against the Office of Supervisor Jake McGoldrick for alleged failure to comply with an Immediate Disclosure Request and failure to provide information requested. (action item) (attachment)

6. 07013 Determination of jurisdiction of complaint filed by Adam Aufdencamp against the Mayor's Office of Communications for alleged failure to respond to an Immediate Disclosure Request. (action item) (attachment)

7. Discussion re: How to streamline the complaint process. (discussion and possible action) (no attachment)

8. Administrator's Report. (attachment)

9. Public comment for items not listed on the agenda. (no action) (no attachment)

10. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting April 10, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
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March 13, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES

Tuesday, March 13, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Cauthen, Chu, Wolfe (arrived at 4:31), Goldman

Agenda Changes: Item #5 was withdrawn prior to the meeting.

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby

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1. Approval of minutes of February 13, 2007.
Speakers: None
Motion approving minutes of February 13, 2007. (Goldman / Chu)
Ayes: Cauthen, Chu, Goldman
Absent: Wolfe

2. 07009 Determination of jurisdiction of complaint filed by Kimo Crossman against the Mayor's Office of Communications for alleged failure to provide requested emails and email addresses, failure to provide information incrementally and official misconduct.
Speakers: Kimo Crossman, Complainant said that the Mayor's office did not provide the requested records and urged the Committee to find jurisdiction. He withdrew official misconduct from the complaint and asked that the Mayors Office of Neighborhood services be added as a respondent. Joe Arellano, Mayor's Office of Communications, said that he had filed an extension of time to respond and that the records were provided in an Excel spread sheet. He said that e-mailed invitations had already been purged.
Member Cauthen asked the Mr. Arellano to bring the Mayor's Office records retention schedule to the full Task Force meeting.
Motion to recommend jurisdiction of complaint filed by Kimo Crossman against the Mayor's Office of Communications for alleged failure to provide requested emails and email addresses, and failure to provide information incrementally. (Goldman / Chu)
Ayes: Cauthen, Chu, Goldman
Absent: Wolfe

3. 07010 Determination of jurisdiction of complaint filed by Allen Grossman against the City Attorney's Office for alleged failure to respond in a timely manner, failure to provide records requested in original electronic format (MS Word), and failure to provide an exact copy of the records requested.
Allen Grossman asked for DCA Llorente's recusal since he works for the City Attorney
Chair Cauthen asked DCA Llorente for a response. DCA Llorente said that he was informed by DCA Chad Jacob's that there is no basis for his recusal since he is not a member of the Task Force, does not vote and has no financial, or person conflict with the complaint.
Chair Cauthen said that she found no reason to recuse DCA Llorente.
Speakers: Allen Grossman, Complainant said that he wants to review the original document requested on a computer in the City Attorney's Office so that he can compare it with the document that he received. DCA Matt Dorsey, City Attorney's Office said that he supports jurisdiction and is renewing his offer to Mr. Grossman to meet with him to resolve the matter.
Chair Cauthen asked Mr. Grossman if he was willing to meet with Mr. Dorsey to try to resolve the matter. Mr Grossman replied that he would work with Mr. Dorsey.
Kimo Crossman said that the City Attorney was recused in the past due to a conflict of interest when an attorney from San Mateo replaced DCA Jackie Minor at a Task Force hearing.
Motion to recommend jurisdiction. (Goldman / Chu)
Ayes: Cauthen, Chu, Wolfe, Goldman

4. 07011 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sheriff's Office for alleged failure to provide video records requested.
Kimo Crossman, Complainant, asked if the matter could be postponed because he said that he (during today's hearing) asked to review Mr. Harrigan's written testimony but he refused to provide it.
Chair Cauthen informed Mr. Crossman that Mr. Harrigan's personal notes are work product and that he does not have to provide it.
Speakers: Kimo Crossman, Complainant, urged the Committee to recommend jurisdiction because the department refused to provide a video of a meeting. Jim Harrigan, Sheriff's Office, said that he is not contesting jurisdiction. He said that Mr. Crossman harassed him while he was trying to listen to previous proceedings, that Mr. Crossman's behavior was unprofessional.
Motion to recommend jurisdiction. (Wolfe / Goldman)
Ayes: Cauthen, Chu, Wolfe, Goldman

5. 07012 Determination of jurisdiction of complaint filed by Dave Tognotti against the Office of Supervisor Jake McGoldrick for alleged failure to comply with an Immediate Disclosure Request and failure to provide information requested.
Speakers: None
Complaint withdrawn prior to the meeting.

6. 07013 Determination of jurisdiction of complaint filed by Adam Aufdencamp against the Mayor's Office of Communications for alleged failure to respond to an Immediate Disclosure Request
Speakers: Joe Arellano, Mayor's Office Of Communications, said that he has the records to give to the Complainant; that the delay is due to Mr. Aufdencamp's request going to the wrong person and that they were looking for the wrong documents.
Chair Cauthen asked the Administrator to inform Mr. Aufdencamp that the Mayor's office has the documents that he requested.
Motion to recommend jurisdiction. (Wolfe / Chu)
Ayes: Cauthen, Chu, Wolfe, Goldman

7. Discussion re: How to streamline the complaint process.
Member Chu suggested that the Committee streamline the hearing process by relying on DCA Llorente's letter

to clarify the complaints with the parties. She said that parties can be asked if they agree with the findings in the DCA's Jurisdictional Letter. If so the Committee can simply vote on jurisdiction after public comment; however, if a party does not agree then s/he can provide testimony to clarify the complaint or to support/oppose jurisdiction.

Member Wolfe said that since the Complainant filed the complaint it should be clear that they supports jurisdiction, so only the respondent needs to address the matter of jurisdiction.

Chair Cauthen said that the Committee should still try to help parties resolve the matter and instruct parties to provide documents/information that would help the Task Force with their determination.

Speakers. Kimo Crossman said that no action could be taken since it is not defined. He suggested that attendance by complainants be optional if DCA Llorente determines jurisdiction. Allen Grossman said that if DCA Llorente's jurisdictional letter is used is should be available long before it goes to the Task Force so that the Complainants can review the facts and issues.

By consensus of the Committee a motion will be drafted by Chair Cauthen and DCA Llorente for consideration by the Committee at next month's meeting.

The Administrator reported that the Rules Committee is requesting that the Complaint Committee allow him to correct formatting errors identified in the Complaint Procedures.

Motion authorizing the Administrator to make technical changes to the formatting of the subsections in the complaint procedures. (Chu / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

8. Administrator's Report

The Administrator made the report.

Chair Cauthen, by consensus of the Committee, authorized the Administrator to make technical changes to the complaint procedures to clearly identify the formatting of the subsections.

Motion authorizing the Administrator to make technical changes to the formatting of the subsections in the complaint procedures.
(Chu / Goldman)

Ayes: Cauthen, Chu, Wolfe, Goldman

Speakers. Kimo Crossman encouraged digital recordings be made of meetings and posted on the internet.

9. Public comment for items not listed on the agenda

Speakers. Mr. Grossman requested a written copy of the opinion provided to DCA Llorente explaining the reason why he does not need to be recused and the issue of a conflict of interest

Chair Cauthen asked DCA Llorente for a response. DCA Llorente said that he doesn't have a written opinion and that Mr. Crossman can contact DCA Chad Jacobs to find out if there is a written opinion. He said that he could provide Mr. Grossman with copies of the cases that he cited.

Kimo Crossman said he wants to see the written opinion by DCA Chad Jacobs regarding recusal and conflict of interest; that an explanation as to why a similar matter of recusal was not cited regarding Jackie Minor be provided.

10 Announcements, questions, and future agenda items from Committee members.

Speakers. None

Adjournment The meeting was adjourned at 5:37 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

City Hall
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, April 10, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order; Roll Call; Agenda Changes

1. Approval of minutes of March 13, 2007. (action item) (attachment)

2. 07015 Determination of jurisdiction of complaint filed by Ming Lee against La Casa De Las Madres and the Department on the Status of Women for alleged failure to produce a service agreement in violation of Section 12L of the City Administrative Code. (action item) (attachment)

3. 07016 Determination of jurisdiction of complaint filed by Ming Lee against Mary Elizabeth Inn and the Department on the Status of Women for alleged failure to allow inspection of documents and incomplete production of documents in violation of Section 12L of the City Administrative Code. (action item) (attachment)

4. 07017 Determination of jurisdiction of complaint filed by Anthony Faber against West SOMA Citizens Planning Task Force Arts and Entertainment Focus Group for alleged failure to allow access to the March 9, 2007 meeting. (action item) (attachment)

5. 07018 Determination of jurisdiction of complaint filed by Peter Warfield against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board for allegedly overcharging for agenda packets. (action item) (attachment)

6. 07019 Determination of jurisdiction of complaint filed by Andrew Sisneros against the Municipal Transportation Agency-Muni Kirkland Division for alleged failure to allow inspection of his personnel file. (action item) (attachment)

7. 07020 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the Department of Public Health for alleged failure to post meeting notices and minutes, and denial of request to be added to their e-mail distribution list for agenda notices. (action item) (attachment)

8. 07021 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board for alleged refusal to provide public records in original electronic format on the City web site. (action item) (attachment)

9. 07022 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide the supplemental report for the 2006 Supervisor of Records Report. (action item) (attachment)

10. 07023 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide a complaint log as directed by the Task Force and failure to provide e-mails related to position in Earthlink negotiations. (action item) (attachment)

11. 07024 Determination of jurisdiction of complaint filed by Peter Warfield against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board for alleged violation of Section 67.21 (c) for failure to respond to a request for assistance in a timely manner. (action item) (attachment)

12. Administrator's Report. (attachment)

13. Public comment for items not listed on the agenda.
(no action) (no attachment)

14. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting May 8, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be made a part of the official public record. (*Section 67.7-1 (c)*)

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

Cell phones, pagers and similar sound-producing electronic devices: **The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.**

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

April 10, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES

Tuesday, April 10, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:06 p.m.

Roll Call: Present: Cauthen, Chu, Wolfe (arrived at 4:17), Goldman

Agenda Changes: Item #23 was heard after item number 4.

Deputy City Attorney: Erick Litvinov

Administrator: Frank Darby

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Approval of minutes of March 13, 2007.
Speakers: None
Motion approving minutes of March 13, 2007. (Goldman / Chu)
Ayes: Cauthen, Chu, Goldman
Absent: Wolfe

07015 Determination of jurisdiction of complaint filed by Ming Lee against La Casa De Las Madres and the Department on the Status of Women for alleged failure to produce a service agreement in violation of Section 12L of the City Administrative Code.

Speakers: Ming Lee, Complainant, said that she did not get the records requested. Respondents: Emily Murase, Exec. Dir., DOSW, said that she supports DCA Llorente's findings for no jurisdiction. She said that she did not receive a complaint pursuant to 12L.5 (b) and requested a continuance; Kathy Black, Exec. Dir. of La Casa, said that she does not have the document being requested and supports the DCA's findings for no jurisdiction.

Ms. Lee in rebuttal said that she does not agree to continue this matter.

Peter Warfield questioned whether the April 1, date on the DCA's Jurisdictional letter is accurate, and noted the use of the complainant's full name throughout the letter. He said that the DCA should have carbon copied the complainants when the letter was sent to the Administrator.

Kimo Crossman said that the complaint is at a disadvantage because the DCA's Jurisdictional letter is written too close to the deadline.

Motion to recommend jurisdiction. (Wolfe / Cauthen)
Ayes: Cauthen, Wolfe
Noes: Chu, Goldman
Motion failed.

07016 Determination of jurisdiction of complaint filed by Ming Lee against Mary Elizabeth Inn and the Department on the Status of Women for alleged failure to allow inspection of documents and incomplete production of documents in violation of Section 12L of the City Administrative Code.

Speakers: Ming Lee, Complainant, said that she was not given the documents that she requested. Respondents: Amanda Heier, Exec. Dir., MEI, said that she responded in writing and provided the documents requested to Ms. Lee; Emily Murase, Exec. Dir., DOSW, said that she was not informed of this complaint as required pursuant to 12L.5 (b) and requested a continuance.

Ms. Lee in rebuttal said that she does not agree to continue this matter.

Motion to recommend jurisdiction of complaint filed by Ming Lee against Mary Elizabeth Inn and the Department on the Status of Women for alleged failure to respond in a timely manner, failure to allow inspection of documents and incomplete production of documents in violation of Section 12L of the City Administrative Code. (Goldman / Wolfe)
Ayes: Cauthen, Chu, Wolfe, Goldman

07017 Determination of jurisdiction of complaint filed by Anthony Faber against West SOMA Citizens Planning Task Force Arts and Entertainment Focus Group for alleged failure to allow access to the March 9, 2007 meeting.

Speakers: Anthony Faber, Complainant, said that the matter has been resolved and withdrew the complaint.

Complaint withdrawn.

07018 Determination of jurisdiction of complaint filed by Peter Warfield against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board for allegedly overcharging for agenda packets.

Speakers: Peter Warfield, Complainant, said that he agrees with the jurisdictional letter and requested his name be replaced with Library Users Association on the agenda and the jurisdictional letter. Frank Darby, SOTF Administrator said that the complaint is without merit; however, he supports jurisdiction.

Peter Warfield, in rebuttal, said that the Administrator should explain the reason for overcharging him. He asked that the Administrator not be allowed to handle this complaint since he is a party to the complaint.

Kimo Crossman said that someone in the Clerk's office other than Mr. Darby should process this complaint because there is a conflict.

Member Wolfe suggested that the Administrator not be allowed to process the complaint due to the appearance of a conflict.

Chair Cauthen said that Mr. Darby is a person of integrity who has processed complaints against him and the COB in the past; that since the COB is a party no one in the office of the COB could process the complaint.

The Committee, by consensus, agreed to ask the COB to assign another person in the office to process this complaint.

Motion to recommend jurisdiction of complaint filed by Peter Warfield, on behalf of the Library Users Association, against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board for allegedly overcharging for agenda packets. (Wolfe / Goldman)
Ayes: Cauthen, Chu, Wolfe, Goldman

07019 Determination of jurisdiction of complaint filed by Andrew Sisneros against the Municipal Transportation Agency-Muni Kirkland Division for alleged failure to allow inspection of his personnel file.

Speakers: Andrew Sisneros, Complainant, said that he was not allowed to view his personnel file as requested. Respondent: Rumi Ueno, Employee Relations Manager, said that they attempted to schedule an appointment for Mr. Sisneros to review his file but he asked to reschedule because he wanted his union representative present.

Mr. Sisneros in rebuttal said that he wants his union representative present; that he may withdraw the complaint after he reviews and is satisfied with the contents in his file. With Mr. Sisneros' agreement, the Committee added "untimely response" to the complaint.

Peter Warfield alleged that the DCA's Jurisdictional letter is untimely, and alleged that the lateness of the letter is a disadvantage to the complainant.

Motion to recommend jurisdiction of complaint filed by Andrew Sisneros against the Municipal Transportation Agency-Muni Kirkland Division for alleged failure to allow inspection of his personnel file, and untimely response. (Goldman / Chu)

Ayes: Cauthen, Chu, Wolfe, Goldman

07020 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the Department of Public Health for alleged failure to post meeting notices and minutes, and denial of request to be added to their e-mail distribution list for agenda notices.

Speakers. Patrick Monette-Shaw, Complainant, said that he has not received any minutes as requested. He asked that the Task Force find a violation for not providing minutes and a finding that the body is a passive meeting body. Respondent. Larry Funk, Associate Administrator, said that he does not contest jurisdiction.

Peter Warfield, questioned why the DCA's Jurisdicitonal letter wasn't done until April although the complaint was filed in early March. He alleged that the lateness of the letter is a disadvantage to the complainant.

Motion to recommend jurisdiction. (Goldman / Chu)

Ayes. Cauthen, Chu, Wolfe, Goldman

07021 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board for alleged refusal to provide public records in original electronic format on the City web site.

Speakers. Kimo Crossman. Complainant asked that the Administrator not be allowed to handle this complaint since he is a party to the complaint. Frank Darby, SOTF Administrator said that he does not contest jurisdiction.

Peter Warfield questioned why the DCA's Jurisdicitonal letter wasn't done until April and that a copy was not sent to the complainant. He alleged that the lateness of the letter is a disadvantage to the complainant.

Kimo Crossman in rebuttal stated that he does not understand why the COB did not contest jurisdiction when they believe they are not in violation.

The Committee, by consensus, agreed to ask the COB to assign another person in the office to process this complaint.

Motion to recommend jurisdiction. (Goldman / Wolfe)

Ayes: Cauthen, Chu, Wolfe, Goldman

07022 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide the supplemental report for the 2006 Supervisor of Records Report.

Speakers. Kimo Crossman, Complainant, said that he doesn't appreciate having to file the complaint on behalf of the Task Force and urged jurisdiction. Respondent. Dorji Roberts, Deputy City Attorney, said that he does not contest jurisdiction.

Peter Warfield alleged that the DCA's Jurisdictional letter is untimely, and alleged that the lateness of the letter is a disadvantage to the complainant. He said that the complainant should have been carbon copied when the letter was sent to the Administrator.

Motion to recommend jurisdiction. (Wolfe / Goldman)

Ayes. Cauthen, Chu, Wolfe, Goldman

07023 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for alleged failure to provide a complaint log as directed by the Task Force and failure to provide e-mails related to position in Earthlink negotiations.

Member Wolfe indicated that he needed to be recused on this item.

Motion to recuse Member Wolfe. (Goldman / Chu)

Ayes: Cauthen, Chu, Wolfe, Goldman.

Speakers. Kimo Crossman, Complainant, said that DTIS has not provided e-mails or a complaint log. Respondent. Ron Vinson, DTIS, said that this complaint is a repeat of prior complaints that the Task Force has heard and he has already responded to.

Chair Cauthen asked DCA Llorente to respond regarding the possibility that this is a repeat complaint.

DCA Llorente responded that if the complaint is an overlap, it may be wise to refer it to the Compliance and Amendments Committee (CAC).

Chair Cauthen entertained a motion to refer this matter to the Compliance and Amendments Committee. There was no motion.

Kimo Crossman, in rebuttal, said that this is a new complaint and wants a finding of jurisdiction.

Peter Warfield, alleged that the DCA's Jurisdictional letter was not sent timely by the Administrator, and alleged that the lateness of the letter is a disadvantage to the complainant. He said that the complainant should have been carbon copied when the letter was sent to the Administraior.

Chair Cauthen asked DCA Llorente to comment regarding the completion of his Jurisdictional letters. DCA Llorente said that the earliest that he can submit his jurisdictional letters is the Monday before the packet goes out on Wednesdays.

Chair Cauthen asked the Administrator when he sends out the Jurisdictional letters. The Administrator said that the letters go out in the e-mailed reminder regarding the meeting.

Chair Cauthen asked DCA Llorente to do his best to complete the Jurisdictional letters as soon as possible.

Chair Cauthen asked Task Force Member Richard Knee, to comment on whether the Complaint Committee should refer this complaint to the Compliance and Amendments Committee. Richard Knee, said that the complaint should be treated as a new complaint.

Motion to recommend jurisdiction. (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

Recused: Wolfe

07024 Determination of jurisdiction of complaint filed by Peter Warfield against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board for alleged violation of Section 67.21 (c) for failure to respond to a request for assistance in a timely manner.

Speakers. Peter Warfield, Complainant said that he agrees with the jurisdictional letter and requested that his name be replaced with Library Users Association. Frank Darby, SOTF Administrator said that he does not contest jurisdiction.

Peter Warfield in rebuttal requested a fuller answer from Mr. Darby regarding the non-response and defective response to this request.

Kimo Crossman recommended that the Clerk's office provide someone besides the Administrator to process this complaint, and that the DCA be urged to provide the Jurisdictional letters to complainants as soon as he completes them.

The Committee, by consensus, agreed to ask the COB to assign another person in the office to process this complaint.

Motion to recommend jurisdiction of complaint filed by Peter Warfield, on behalf of the Library Users Association, against the Sunshine Ordinance Task Force Administrator and the Clerk of the Board for alleged violation of Section 67.21 (c) for late, incomplete, and possibly no response to a request for assistance. (Goldman / Wolfe)
Ayes: Cauthen, Chu, Wolfe, Goldman

12 Administrator's Report.
The Administrator made the report.
Speakers: Peter Warfield said that the log should reflect that complaint #07018 and 07024 are from the Library Users Association.

13 Public comment for items not listed on the agenda.
Speakers: None

14 Announcements, questions, and future agenda items from Committee members
Speakers: None

Adjournment The meeting was adjourned at 5:58 PM
This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

City Hall
Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 554-5227

http://www.sfgov.org/sunshine/

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, May 8, 2007
3:30 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order; Roll Call; Agenda Changes

1. Approval of minutes of April 10, 2007. (action item) (attachment)

2. 07025 Determination of jurisdiction of complaint filed by John Templeton against the Historical Preservation Fund Committee for alleged failure to provide notice of its meetings. (action item) (attachment)

3. 07027 Determination of jurisdiction of complaint filed by Kimo Crossman against the Small Business Commission (SBC) and Martha Yanez for alleged failure to provide e-mail addresses of the SBC Commissioners. (action item) (attachment)

4. 07029 Determination of jurisdiction of complaint filed by Kelly Satuarno against the Recreation and Parks Department for alleged failure to post the agenda of the April 19, 2007, 72 hours prior to the meeting. (action item) (attachment)

5. 07030 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health for alleged failure to provided copies of public records requested. (action item) (attachment)

6. Motion adding Sub-Section B. 8. (a) and (b) to the Task Forces Complaint Procedures: (a) A complainant may waive the 45 day rule and a continuance shall be allowed. Should the complainant again wish to continue, it shall be by a simple majority vote of the members present.
(b) A respondent may request a continuance once, and upon agreement of the complainant the matter will be continued. If the complainant does not agree to the continuance requested, such continuance must be put to a vote and be approved by a simple majority vote of the members present. (discussion and possible action) (attachment)

7. Discussion re: Whether to change the number of pages that parties to the complaint, can submit as supporting documentation. (discussion and possible action) (no attachment)

8. Discussion re: Whether to change the time/specify a time allowed for parties to receive documents associated with a complaint. (discussion and possible action) (no attachment)

9. Decision regarding a stylistic revision of the Complaint Procedures. (discussion and possible action) (no attachment)

10. Administrator's Report. (attachment)

11. Public comment for items not listed on the agenda. (no action) (no attachment)

12. Announcements, questions, and future agenda items from the Committee members. (no attachment)

Adjournment **Next Regular Meeting June 12, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Frank Darby by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at sotf@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, http://www.sfgov.org/sunshine/

May 08, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES

Tuesday, May 8, 2007
4:00 p.m., City Hall, Room 408

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Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 3:32 p.m.

Roll Call: Present: Cauthen, Chu (arrived at 3:58), Wolfe, Goldman

Agenda Changes: Item #5 was withdrawn prior to the meeting.

Deputy City Attorney: Ernie Llorente

Administration: Frank Darby

1 Approval of minutes of April 10, 2007

Speakers: None

Motion approving minutes of April 10, 2007 (Cauthen / Wolfe)

Ayes: Cauthen, Wolfe, Goldman

Excused Absent: Chu

2 07025 Determination of jurisdiction of complaint filed by John Templeton against the Historical Preservation Fund Committee for alleged failure to provide notice of its meetings

Continued by agreement of both parties prior to the meeting

3 07027 Determination of jurisdiction of complaint filed by Kimo Crossman against the Small Business Commission (SBC) and Martha Yanez for alleged failure to provide e-mail addresses [illegible]

Speakers: Kimo Crossman, Complainant, asked for a finding of jurisdiction. Michael Farrah, Respondent, said that the Department does not contest jurisdiction. He said that three of the SBC Commissioners have agreed to release their personal e-mail addresses and that he should have all of them within 48 to 72 hours

DCA Llorente noted an error on his instructional letter: the last sentence should refer to SBC and not DTIS

Member Wolfe asked Chair Cauthen if she could vote last on motions in the event that there is a tie. Chair Cauthen agreed to vote last

Motion to recommend jurisdiction (Goldman / Wolfe)

Ayes: Wolfe, Goldman, Cauthen

Excused Absent: Chu

4 07029 Determination of jurisdiction of complaint filed by Kelly Salvatino against the Recreation and Parks Department for alleged failure to post the agenda of the April 19, 2007 72 hours prior to the meeting

Continued by agreement of both parties prior to the meeting

5 07030 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health for alleged failure to provided copies of public records requested

Continued by agreement of both parties prior to the meeting

6 Motion adding Sub-Section B 8 (a) and (b) to the Task Forces Complaint Procedures (a) A complainant may waive the 45 day rule and a continuance shall be allowed. Should the complainant [illegible] continue, it shall be by a simple majority vote of the members present

(b) A respondent may request a continuance once, and upon agreement of the complainant the matter will be continued. If the complainant does not agree to the continuance requested, [illegible] must be put to a vote and be approved by a simple majority vote of the members present

Speakers: Kimo Crossman said that Sub-Section 8 (b) should be removed because departments can't request a continuance, and they should not be given the option

Motion adding Sub-Section B 8 (a) and (b) to the Task Forces Complaint Procedures (a) A complainant may waive the 45 day rule and a continuance shall be allowed. Should the complainant [illegible] continue, such continuance shall be by a simple majority vote of the members present

(b) A respondent named as an individual may request a continuance once, and upon agreement of the complainant the matter will be continued. If the complainant does not agree to the continuance requested, such continuance must be put to a vote and be approved by a simple majority vote of the members present. (Wolfe / Goldman)

Ayes: Cauthen, Wolfe, Goldman

Excused Absent: Chu

7 Discussion re: Whether to change the number of pages that parties to the complaint can submit as supporting documentation

Member Wolfe said that he favors more information rather than less information, and that he can discern what is and is not important to read

Member Goldman said that he wants to be fair to the parties and not restrict them from submitting information that proves their case. He said that parties should be asked to submit a summary [illegible] documents

Chair Cauthen said that the Task Force needs to remember that the parties that come before them are not experts

Chair Cauthen, by consensus of the Committee, recommended that the page limit remain at 75 pages, and that out of interest for the environment and administrative efficiency, that parties keep their presentation as cohesive as possible

Speakers: Kim Crossman said he agrees with the recommendation that parties should be encouraged to summarize their case

The Committee took no formal action

8 [illegible]

Member Wolfe said that complainants have stated on numerous occasions that they do not received the department's responses to their complaint in enough time to allow them to submit a rebuttal for inclusion in the packet

Member Goldman said that when complainants file a complaint they should be able to support their argument regardless of how the department responds

DCA Llorente said that there are timing issues with regard to processing, compiling, copying and distributing the packet

Member Chu said that she can't tell whether this is a big problem or just isolated instances, therefore she doesn't have a reason to support a change

Speakers: Kimo Crossman said that Departments are not submitting their response in 5 days. He urged that 1) the 5-day response be enforced. 2) Departments submit the response electronically, and 3) that Departments be given a shorter deadline in lieu of the 5 day response

Peter Warfield said that he agrees with Mr. Crossman regarding the enforcement of the current complaint procedures. He said that Respondents are manipulating their responses and the Complaint process, [illegible] prevents the Complainant from preparing a sufficient response for the full Task Force. He said that the late arrivals of the DCA letters are a disadvantage to Complainants

DCA Llorente said that changing the deadline for the Departments response might be helpful to complainants, but that he is issuing his letter as soon as he can

Administrator Darby discussed the time frame for processing complaints, including the notice and response to departments. He said that there are tight deadlines in process complaint, and [illegible] distribute the packet, which can be changed. He said that reducing the Departments response time from 5 to 3 business days might be difficult for Departments

Chair Cauthen said that Allen Grossman, Peter Warfield, and Kimo Crossman have complained that they did not receive the Departments response or the DCA letters in time to submit a rebuttal. [illegible] asked the Administrator if other complainants had made similar complaints. The Administrator said that he did not receive similar complaints from other complainants

Continued by consensus of the Committee

Chair Cauthen asked the Administrator to include a copy of the flow chart of the Complaint process in the next packet. She also asked that a few City departments be invited to discuss whether they are comply with a shorter timeframe

9 [illegible]

Chair Cauthen said that Member Knee introduced this matter at the last Task Force meeting, and wanted to perform this task

Speakers: Peter Warfield said that future agenda items should be clearer as to what is being proposed, that the public need to know who put items on the agenda and why

Member Wolfe said that this matter was discussed extensively at the last Task Force meeting and that the description is very clear.

Kimo Crossman said that Sub-section G-1 of the Complaint Procedures should require the Administrator to keep a log of all inquiries.

The Committee took no formal action.

10. Administrator's Report

The Administrator made the report.

Speakers: Kimo Crossman said that the SOTF office appears to be open from 7-4 and not the 8:30-5 PM normal business hours specified in the charter. He said that the public can't get in the building until 8 AM.

Peter Warfield said that he is glad that the Administrator's report shows the Library Users Association (LUA) as the complainant. He said that the report does not mention the Google complaint filed by the LUA, and said he has not received a confirmation.

11. Public Comment on items not listed on the agenda.

Speakers: Peter Lehnert said that the minutes should include activities that affect the meeting, specifically the limitation on his time that occurred at the last meeting. He suggested transferring the last minutes and adding the amount of time allotted to speakers.

Kimo Crossman said that the DCA's letters should be forwarded to the complainants. He said that the PUC adopted the Google agreement and that if he had received the documents from DTIS as requested the outcome would have been different.

12. Discussion of future agenda items by Committee members.

Member Chu asked the Administrator to provide a flip chart for the next meeting.

Speaker: None.

Adjournment: The meeting was adjourned at 5:00 PM.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, June 12, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of May 8, 2007. (action item) (attachment)

2. 07025 Determination of jurisdiction of complaint filed by John Templeton against the Historical Preservation Fund Committee for alleged failure to provide notice of its meetings. (action item) (attachment)

3. 07028 Determination of jurisdiction of complaint filed by Dan Hirsch against the Recreation and Parks Department for alleged failure to provide notice of its meetings. (action item) (attachment)

4. 07029 Determination of jurisdiction of complaint filed by Kelly Satuarno against the Recreation and Parks Department for alleged failure to post the agenda of the April 19, 2007, 72 hours prior to the meeting. (action item) (attachment)

5. 07030 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health for alleged failure to provided copies of public records requested. (action item) (attachment)

6. 07031 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the Department of Public Health for alleged violation of § 67.24 and 67.34 of the Ordinance for failure to provide copies of digital audio recordings of its meetings. (action item) (attachment)

7. 07032 Determination of jurisdiction of complaint filed by James Chaffee against the San Francisco Public Library Commission for alleged violation of § 67.25, 67.16 and 67.21 of the Ordinance for failure to respond to an Immediate Disclosure Request in a timely fashion, failure to provide the requested information, and failure to provide assistance. (action item) (attachment)

8. 07033 Determination of jurisdiction of complaint filed by James Chaffee against the San Francisco Public Library Commission for alleged violation of § 67.12(b)(4), and 67.15 of the Ordinance for failure to disclose its roll call vote of the March 2, 2007 closed session and failure to provide for public comment on this agenda item at its March 15, 2007 meeting.(action item) (attachment)

9. 07034 Determination of jurisdiction of complaint filed by the Library Users Association by Peter Warfield against Sunshine Ordinance Task Force Administrator for alleged violation of § 67.21(c) of the Ordinance for failure to respond to a request for assistance within seven days. (action item) (attachment)

10. 07035 Determination of jurisdiction of complaint filed by the Library Users Association by Peter Warfield against the Clerk of the Board of Supervisors for alleged violation of § 67.21(c) and possibly § 67.29-7 of the Ordinance for failure to respond to a request for assistance within seven days and possibly insufficient response. (action item) (attachment)

11. 07036 Determination of jurisdiction of complaint filed by the Library Users Association by Peter Warfield against the City Attorney's Office for alleged violation of § 67.25 of the Ordinance for failure to respond to an Immediate Disclosure Request in a timely manner. (action item) (attachment)

12. 07037 Determination of jurisdiction of complaint filed by the Library Users Association by Peter Warfield against the City Attorney's Office for alleged violation of § 67.21(c) of the Ordinance for failure to respond to a request for assistance within seven days. (action item) (attachment)

13. 07038 Determination of jurisdiction of complaint filed Anonymous Person against the Entertainment Commission for alleged failure to provide requested records. (action item) (attachment)

14. 07039 Determination of jurisdiction of complaint filed Paul Graham against the Department of Public Health for alleged failure to respond to a request or to provide requested records. (action item) (attachment)

15. 07040 Determination of jurisdiction of complaint filed by Ahimsa Porter Sumchai against Supervisor Sophie Maxwell for allegedly interrupting and delaying public comment. (action item) (attachment)

16. 07041 Determination of jurisdiction of complaint filed by Ming Lee against the Department on the Status of Woman for alleged failure to respond to an Immediate Disclosure Request. (action item) (attachment)

17. 07042 Determination of jurisdiction of complaint filed by Francisco Da Costa against Supervisor Sophie Maxwell for allegedly delaying his public comment. (action item) (attachment)

18. Discussion re: Whether to change the time/specify a time allowed for parties to receive documents associated with a complaint. (discussion and possible action) (attachment)

19. Discussion: Review of the procedures for Order of Determinations. (discussion and possible action) (no attachment)

20. Administrator's Report. (attachment)

21. Public comment for items not listed on the agenda.
(no action) (no attachment)

22. Announcements, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting July 10, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be made a part of the official public record. (*Section 67.7-1 (c)*)

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each

5. Matter is with the Task Force for discussion and deliberation
6. Vote by Task Force

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Frank Darby by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at sotf@sfgov.org.

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June 12, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES

Tuesday, June 12, 2007
4:00 p.m., City Hall, Room 406

GOVERNMENT DOCUMENTS DEPT
JUL 19 2010
SAN FRANCISCO PUBLIC LIBRARY

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:02 p.m.

Roll Call: Present: Cauthen, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

Agenda Changes: Item #18 was continued to the July 10 meeting.

Deputy City Attorney: Erica Lloverde

Administrator: Frank Darby

Approval of minutes of May 9, 2007

Speakers: None

Motion approving minutes of May 9, 2007 (Goldman / Comstock)

Ayes: Cauthen, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

Chair Cauthen informed members of the public that public comment will be limited to 2 minutes, due to the large number of complaints, unless the meeting is postponed to a later date. [illegible] informed parties that the purpose of the meeting was to determine whether the Task Force has jurisdiction and to refine the complaints, and that complaints [illegible] have their complaints heard next month, which would place them at the top of the complaint order.

07025 Determination of jurisdiction of complaint filed by John Templeton against the Historical Preservation Fund Committee for alleged failure to provide notice of its meetings.

Speakers: John Templeton, Complainant: said that he agrees with the City Attorney's letter and recommends jurisdiction. Rich Hills, Respondent: said that he [illegible]

Motion to recommend jurisdiction (Goldman / Comstock)

Ayes: Cauthen, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

07026 Determination of jurisdiction of complaint filed by Dan Hirsch against the Recreation and Parks Department for alleged failure to provide notice of its meetings.

The Administrator informed the chair that complaint of Dan Hirsch, informed him that he could not attend the hearing and had agreed to combine the complaint with [illegible] Salvarino. The Administrator said that he was unable to confirm with Ms. Salvarino whether she agreed to combine her complaint with Mr. [illegible]

Chair Cauthen asked the respondents if they agreed to combine the complaints. The Respondents agreed.

By Committee consensus complaints #07026 and #07029 were combined.

Speakers: Respondents: Rose Dennis, said that the meeting of April 11 was a passive meeting and the meeting on April 13 was a Commission meeting [illegible] that he believed that the meetings were properly noticed, and that the parties had completed the sign-in sheet.

Kimo Crossman, questioned the purpose for the sign-in sheet. He said that people complete the sign-in sheet because they want to receive notice of future meetings.

Motion to recommend jurisdiction (Goldman / Comstock)

Ayes: Cauthen, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

07029 Determination of jurisdiction of complaint filed by Kelly Salvarino against the Recreation and Parks Department for alleged failure to post the agenda of its April [illegible] meeting.

Previously consolidated with complaint #07026

07030 Determination of jurisdiction of complaint filed by Michael Petrelis against the Department of Public Health for alleged failure to provided copies of public meeting [illegible]

Speakers: Michael Petrelis, Complainant, said that he requested documents for December 2006 but did not get them. He said that calendar information and [illegible]

Respondent, said that she does not dispute jurisdiction.

Kimo Crossman said that he supports jurisdiction.

Motion to recommend jurisdiction (Goldman / Comstock)

Ayes: Cauthen, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

07031 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the Department of Public Health for alleged violation of [illegible] copies of digital audio recordings of its meetings.

Speakers: Patrick Monette-Shaw, asked that the DCA's Jurisdictional Letter be amended to show that the complaint is against the Transitional Care Unit (TSC).

Chair Cauthen asked DCA Lloverde about the TSC. DCA Lloverde responded that if the TSC is a passive meeting body it is within the jurisdiction of the Sunshine Ordinance.

Robert Thompson, Respondent, Laguna Honda Hospital, said that he doesn't contest jurisdiction, but denies the allegations.

Chair Cauthen asked Mr. Shaw if he was also complaining also if he erased audio tapes.

Mr. Shaw, in rebuttal, said that the erased tapes are not germane to his complaint, but that the records were not provided after they were [illegible]

Kimo Crossman, said that the Task Force should discuss the alteration of the material, and recommended that the right to public access [illegible]

Chair Cauthen asked Mr. Thompson if a knowledgeable person would appear at the full Task Force hearing, and requested a copy of the agenda item [illegible] responded that a knowledgeable person will attend the meeting and a copy of their policy will be provided.

Motion to recommend jurisdiction (Goldman / Comstock)

Ayes: Cauthen, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

07032 Determination of jurisdiction of complaint filed by James Chaffee against the San Francisco Public Library Commission for alleged violations of [illegible] respond to an Immediate Disclosure Request in a timely fashion, failure to provide the requested information, and failure to provide assistance.

Chair Cauthen informed Members that she knows Mr. Chaffee from her work with the Library. She asked the Administrator to explain how the [illegible]

The Administrator said that Mr. Chaffee wrote Chair Comstock outlining alleged Sunshine violations by the San Francisco Library. That Mr. [illegible] wanted a hearing before the Task Force, but Mr. Chaffee did not respond. The Administrator said that after reading an email, blog written by Mr. [illegible] addressing his complaints, he assumed that Mr. Chaffee wanted a hearing, so he scheduled a hearing and notified Mr. Chaffee.

Member Comstock recommended that complaint #07032 and #07033 be continued to the call of the Chair.

By Committee consensus, complaints #07032 and 07033 were continued to the call of the Chair.

Speakers: Kimo Crossman said that his impression is that Mr. Chaffee does not want to or feel that he needs to attend the hearing in order for the Task Force to adjudicate his matter.

[illegible] Determination of jurisdiction of complaint filed by James Chaffee against the San Francisco Public Library Commission for alleged violation of §67.12(a)(4) and 67.15(b) Ordinance for failure to disclose its roll call vote of the March 2, 2007 closed session and failure to provide for public comment on the agenda format as March 15, 2007 meeting.

Previously continued to the call of the Chair.

[illegible] Determination of jurisdiction of complaint filed by Peter Warfield for the Library Users Association against the Sunshine Ordinance Task Force Administrator for alleged violation of §67.21 (Administrative Deadlines) for failure to respond to a request for assistance within seven days.

The Administrator informed the chair that complainant, Peter Warfield, informed him that he could not attend the hearing, but asked that the Committee consider his complaints.

Chair Chaffee said that this complaint was identical to complaint #07035 and asked members if they should be combined.

Motion to combine complaint #07034 and 07035: (Comstock / Goldman)

Ayes: Chaffee, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

Speakers: Frank Darby, Respondent, said that he does not object to jurisdiction.

Kimo Crossman said that he does not believe that Mr. Warfield would agree to combining the complaints, and that he would want to be given 10 minutes to address his complaint at the full Task Force and 5 minutes for rebuttal.

Motion to recommend jurisdiction: (Goldman / Comstock)

Ayes: Chaffee, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

[illegible] Determination of jurisdiction of complaint filed by Peter Warfield for the Library Users Association against the Board of Supervisors for alleged violation of §67.21(a) and possibly §67.21(i) of the Ordinance for failure to respond to a request for assistance within seven days and excessive response.

Previously combined with complaint #07035.

[illegible] Determination of jurisdiction of complaint filed by Peter Warfield for the Library Users Association against the City Attorney's Office for alleged violation of §67.21 (Administrative Deadlines) for failure to respond to an immediate disclosure request in a timely manner.

The Administrator informed the chair that this complaint and complaint #07035 should be combined.

By consensus, Members noted that complaints were not combined.

Speakers: Frank Darby, Respondent, said that he does not object to jurisdiction. He apologized for not handling the matter timely and submitting a late response. He said that he doesn't know why the complaint, filed twice and is willing to work with Mr. Warfield to resolve the matter.

Motion: Determining jurisdiction: (Goldman / Comstock)

Ayes: Chaffee, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

[illegible] Determination of jurisdiction of complaint filed by Peter Warfield for the Library Users Association against the City Attorney's Office for alleged violation of §67.21(a) (Administrative Deadlines) for failure to respond within seven days.

Speakers: Frank Darby, Respondent, said that he does not object to jurisdiction. He apologized for not responding and said that he doesn't understand why a complaint was filed and is willing to work with Mr. Warfield to resolve the matter.

Kimo Crossman said that it is unclear that the City Attorney is willing to meet with Mr. Warfield, but is delaying responding to his request for assistance. He said that time is unfair to all members of the public.

Motion: Determining jurisdiction: (Goldman / Comstock)

Ayes: Chaffee, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

[illegible] Determination of jurisdiction of complaint filed Anonymous Person against the Entertainment Commission for alleged failure to provide requested records.

The Administrator informed the Committee that the Anonymous Person requested an ADA accommodation that requires that the Complainant provide testimony via telephone.

Speakers: Anonymous Person, Complainant, via telephone, asked the Committee to recommend jurisdiction on his complaint. Bob David, Respondent, said that he does not object to jurisdiction. He said that the department responded immediately to the request and requested a 5-day extension because parts of the documents required redaction.

Motion to recommend jurisdiction: (Goldman / Comstock)

Ayes: Chaffee, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

[illegible] Determination of jurisdiction of complaint filed Paul Graham against the Department of Public Health for alleged failure to respond to a request or to provide requested records.

Complaint, Paul Graham, Complainant, asked if he could amend his complaint to include his additional request for toxic waste inspection and noise reports that were not provided. He said that he did not get the results expected.

Chair Chaffee informed Mr. Graham that he could withdraw his complaint and file a new complaint.

Member Comstock informed Mr. Graham that by withdrawing and filing a new complaint that his matter would not be heard for a month.

Mr. Paul Graham said that the Complainant can move forward on the current complaint and file a new complaint on the other matters.

Tom Rivard, Respondent said that he does not dispute jurisdiction.

Chair Chaffee asked Mr. Rivard to work with Mr. Graham to resolve his other matters, which may avoid the filing of another complaint.

Motion to recommend jurisdiction: (Goldman / Comstock)

Ayes: Chaffee, Goldman, Comstock

Absent: Wolfe

Excused Absent: Chu

[illegible] Determination of jurisdiction of complaint filed by Dr. Ahimsa Porter Sumchai against Supervisor Sophie Maxwell for allegedly interrupting and delaying public comment.

Chair Chaffee asked Dr. Sumchai and Francisco Da Costa if they would willing to combine their complaints (07040 & 07042) due to their similarities. Dr. Sumchai agreed to combine the complaints. Francisco Da Costa did not agree to combine the complaints.

Speakers: Dr. Ahimsa Sumchai, Complainant, cited §67.15(d) of the Ordinance against prohibiting public criticism. She said that Supervisor Maxwell delays her from providing public comment until later in the meeting although she is the first to submit a speaker-card and that the Supervisor also interrupts speakers who offer criticism during public comment. Katherine Higgins, Aide to Supervisor Maxwell, said that she does not object to jurisdiction. She said that clarity is needed as to which meeting the complaint pertains to.

Dr. Sumchai, in rebuttal, said that a CD will be shown for the May 7, 2007, meeting of the Land Use Committee, which shows the violation. She said that the April 16, 2007, meeting also substantiates her complaint.

Kimo Crossman said that there is a similar pattern of behavior, which also occurred at yesterdays BOS committee meeting, which restricts freedom of speech. He said that Supervisor Maxwell should appear in person at the full Task Force meeting.

Chair Cauthen requested that Ms. Higgins ask Supervisor Maxwell to be present at the full Task Force Meeting.

Motion to recommend jurisdiction (Goldman / Cornstock)

Ayes: Cauthen, Goldman, Cornstock

Absent: Wolfe

Excused Absent: Chu

Chair Cauthen asked the Administrator to notify Media Services that a projector and screen will be needed for the full Task Force meeting.

07041 Determination of jurisdiction of complaint filed by Ming Lee against the Department on the Status of Women for alleged failure to respond [illegible]

The Administrator informed the Chair that Ms. Lee called to say that she could not attend the meeting until approximately 8:30 p.m.

Chair Cauthen, by Committee consensus, said that the committee will hear the matter, and if Ms. Lee arrives before the end of the meeting she will [illegible]

Speakers: Cynthia Vasquez, Respondent, said that the Task Force does not have jurisdiction. She said that she responded to Ms. Lee's IDR after [illegible] second IDR that was sent to Dr. Murase but submitted a response immediately after she became aware of it.

Kimo Crossman, said that every hearing regarding the Complainant is contentious and suggested that the Committee continue the matter until Ms. [illegible]

Motion to recommend jurisdiction. (Goldman / Cornstock)

Ayes: Cauthen, Goldman, Cornstock

Absent: Wolfe

Excused Absent: Chu

07042 Determination of jurisdiction of complaint filed by Francisco Da Costa against Supervisor Sophie Maxwell for allegedly delaying his public comment.

Speakers: Francisco Da Costa, Complainant, said that he has two issues. 1) A right to speak as set forth under the Brown Act and the Sunshine Ordinance, [illegible] following certain processes. Katherine Higgins, Aide to Supervisor Maxwell, said that she does not object to jurisdiction. She said that the allegation that complaints have [illegible] Committees is too broad, and needs the exact meeting dates being alleged.

Mr. Da Costa, in rebuttal, said that there was a violation at the May 7, 2007, meeting. He said that the Supervisor regularly reduces his time and moves his speaking time to [illegible]

Chair Cauthen asked Mr. Da Costa if he could meet with Ms. Higgins to possibly resolve the issue. Mr. Da Costa responded that it is difficult [illegible] with Ms. Higgins [illegible] Board and doesn't know the history, that he would need a 2-hour meeting with her so that he could bring her up to speed.

Chair Cauthen said that proof is needed to show that there is a pattern.

Member Cornstock said that specific instances are needed.

Kimo Crossman, said that the Task Force can find that there is a pattern of bad behavior, that proof can be provided by public testimony. He said that [illegible] to show it and external speakers will be needed for improve the sound.

Dr. Sumchai, said that there is a delegation of media who appear at the start of the meeting and that Supervisor Maxwell calls up speakers who [illegible] said that there are others whose rights are violated.

Motion to recommend jurisdiction (Goldman / Cornstock)

Ayes: Cauthen, Goldman, Cornstock

Absent: Wolfe

Excused Absent: Chu

[illegible]

[illegible]

[illegible]

Motion recommending that all Order of Determinations go to the Compliance and Amendments Committee for review. (Cornstock / Cauthen)

Ayes: Cauthen, Goldman, Cornstock

Absent: Wolfe

Excused Absent: Chu

Administrator's Report

The Administrator made the report.

Speakers: Kimo Crossman asked what the motion was for item #19. Member Goldman responded that all OD's would go before the CAC.

Public comment for items not listed on the agenda

Speakers: Kimo Crossman asked the Committee to continue item #18. Chair Cauthen responded that item #18 had already been continued.

Announcements, questions, and future agenda items from Committee members

Speakers: Kimo Crossman, asked that the Task Force agendize a discussion regarding the language in the Complaint Procedures that allows the City Attorney's Office [illegible] their response. He recommends that the language be removed.

Adjournment: The meeting was adjourned at 6:00 PM.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force.

Sunshine Ordinance Task Force

City Hall
Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, July 10, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of June 12, 2007. (action item) (attachment)

2. 07043 Determination of jurisdiction of complaint filed by Anonymous Person against the Entertainment Commission for alleged failure to produce documents. (action item) (attachment)

3. 07044 Determination of jurisdiction of complaint filed by Anonymous Person against the Entertainment Commission for alleged failure to release information. (action item) (attachment)

4. 07045 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the San Francisco Health Commission for violation of Sunshine Ordinance §§67.7(a) and (b), and 67.34 for alleged failure to provide adequate public notice of its May 15, 2007, agenda. (action item) (attachment)

5. 07046 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

6. 07047 Determination of jurisdiction of complaint filed by Kimo Crossman against the Mayor for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

7. 07048 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sheriff for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

8. 07049 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

9. 07050 Determination of jurisdiction of complaint filed by Kimo Crossman against the Public Utilities Commission for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

10. 07051 Determination of jurisdiction of complaint filed by Kimo Crossman against the Clerk of the Board of Supervisors for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

11. Continued Discussion re: Whether to change the time/specify a time allowed for parties to receive documents associated with a complaint. (discussion and possible action) (attachment)

12. Administrator's Report. (attachment)

13. Public comment for items not listed on the agenda.
(no action) (no attachment)

14. Announcements, questions, and future agenda items from Committee members.
(no attachment)

Adjournment **Next Regular Meeting August 14, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

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July 10, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES

Tuesday, July 10, 2007
4:00 p.m., City Hall, Room 406

GOVERNMENT DOCUMENTS DEPT
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SAN FRANCISCO PUBLIC LIBRARY

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:45 p.m.

Roll Call: Present: Cauthen, Chu, Wolfe

Excused Absent: Goldman

Agenda Changes: Items 5-10 were continued prior to the meeting.

Deputy City Attorney: Ernie Llorente

Administrator: Frank Darby

4:10 PM – Chair Cauthen informed the public and parties to the complaints that the meeting would start once there was a quorum

4:25 PM – Chair Cauthen asked for a show of hands from parties to the complaints, as to whether they were willing to continue waiting. By a showing of hands all parties agreed to wait for a quorum.

4:42 PM Member Wolfe arrived

Member Chu informed the Committee that she would not be present for the August 14, 2007, meeting

Chair Cauthen asked the Administrator to inform Chair Comstock that there may be a need to have another member assigned for that meeting

1 Approval of minutes of June 12, 2007

Speakers: None

Motion approving minutes of June 12, 2007 (Wolf / Cauthen)

Ayes: Cauthen, Chu, Wolfe

Excused Absent: Goldman

2 07043 Determination of jurisdiction of complaint filed by Anonymous Person against the Entertainment Commission for alleged failure to produce documents

Speakers: Anonymous Person, Complainant, via phone said that he agreed with the City Attorney's recommendation on jurisdiction. Rob Davis, Respondent: said that the department does not dispute jurisdiction of the complaint and asked that all three complaints (07039, 07043, & 07044) filed by Anonymous Person be combined

Chair Cauthen asked the Anonymous Person if he agreed to combine the complaints. Anonymous Person agreed to combine the complaints

Chair Cauthen asked Anonymous Person to specify for the full Task Force the meetings for which background information was requested, and to specify what documents were requested. She asked Mr. Davis to inform the complainant that the decision regarding Halloween is not the sole decision of the Entertainment Commission, but is done jointly with the Mayor and other interested departments.

Kimo Crossman expressed dissatisfaction with the way the complainant's anonymity was handled

Motion to recommend jurisdiction and to combine complaint numbers 07039, 07043, and 07044 (Chu / Cauthen)

Ayes: Cauthen, Chu, Wolfe

Excused Absent: Goldman

3 07044 Determination of jurisdiction of complaint filed by Anonymous Person against the Entertainment Commission for alleged failure to release information

Previous combined with item #2, complaint #07043.

4 07045 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the San Francisco Health Commission for violation of Sunshine Ordinance §§67.7 (as amended by Prop N) and 67.5 (failure to provide adequate public notice of its May 15, 2007, agenda

Speakers: Patrick Monette-Shaw, Complainant, said that the agenda was not clear and that explanatory documents were distributed at the meeting and not prior. He played a portion of the meeting in support of his complaint and handed out a summary of proceedings. He said that a pending change in leadership was not properly noticed. Michele Seaton, Respondent: said that the department does not contest jurisdiction of the complaint

Kimo Crossman commended Mr. Shaw on the detail of his complaint and urged the Committee to accept jurisdiction

Member Wolfe asked Ms. Seaton if documents were distributed at the meeting

Mr. Seaton responded that the Strategic Plan and Robert's Rules of Order and other background documents were distributed at the meeting

Motion to recommend jurisdiction (Chu / Wolfe)

Ayes: Cauthen, Chu, Wolfe

Excused Absent: Goldman

5 07046 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney for violation of Sunshine Ordinance §§67.4 and 67.29-5 for alleged failure to post notice of passive meetings on the website

Continued prior to the meeting by the complainant

6 07047 Determination of jurisdiction of complaint filed by Kimo Crossman against the Mayor for violation of Sunshine Ordinance §§67.4 and 67.29-5 for alleged failure to post notice of passive meetings on the website

Continued prior to the meeting by the complainant

7 07048 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sheriff for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post notice of passive meetings on the website

Continued prior to the meeting by the complainant

8 07049 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for violation of Sunshine Ordinance §§67.4 and 67.29-5 for alleged failure to post notice of passive meetings on the website

Continued prior to the meeting by the complainant

9 07050 Determination of jurisdiction of complaint filed by Kimo Crossman against the Public Utilities Commission for violation of Sunshine Ordinance §§67.4 and 67.29-5 for alleged failure to post notice of passive meetings on the website

Continued prior to the meeting by the complainant

10 07051 Determination of jurisdiction of complaint filed by Kimo Crossman against the Clerk of the Board of Supervisors for violation of Sunshine Ordinance §§67.4 and 67.29-5 for alleged failure to post notice of passive meetings on the website

Continued prior to the meeting by the complainant

11 [illegible]

Speakers: Kimo Crossman said that departments are not responding in five days as required and that if they did the matter would be resolved. He said that exceptions are not being [illegible]

is no abiet to provide a public response to the issues in a way that we be historically precedent

Chair Caumont asked DCA [illegible] regarding the matter. DCA [illegible] Vente responded that applicants could submit documents as part of the appeal to the Administrator

Member Wolfe suggested that a response is not received in five days that it not be included in the packet

Member Chu suggested that the enforcement of Section C of the Complaint Procedure would resolve the matter

Members agreed to direct respondents to Section C of the Complaint Procedures and advise them that it will be enforced and that documents submitted after the five day deadline will not be included in the Committee packet

8. Administrator's Report

the Administrator made the report

Speakers: None

9. Public comment on items not noted on the agenda

Speakers: Kevin Stokesman expressed his dissatisfaction with the way Members telephone conversations with the complainant were handled

5. Announcements, questions, and future agenda items from Committee members

Speakers: None

Adjournment The meeting was adjourned at 6:03 PM

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

City Hall
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San Francisco 94102-4689
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, August 14, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of July 10, 2007. (action item) (attachment)

2. 07052 Determination of jurisdiction of complaint filed by Allen Grossman and Wayne Lanier against the San Francisco District Attorney's Office for alleged violation of Sunshine Ordinance §§67.21, 67.24, 67.25, 67.26, 67.27, and 67.34 for failure to provide records, to keep withholding to a minimum, to justify withholding and untimely response. (action item) (attachment)

3. 07055 Determination of jurisdiction of complaint filed by Kimo Crossman against the District Attorney for alleged violation of Sunshine Ordinance §67.21 for failure to provide requested records. (action item) (attachment)

4. 07056 Determination of jurisdiction of complaint filed by Myrna Lim against the Ethics Commission for alleged violation of Sunshine Ordinance §67.21 for failure to provide requested records. (action item) (attachment)

5. 07057 Determination of jurisdiction of complaint filed by Jeff Ente against Supervisor Aaron Peskin for alleged incomplete production of documents. (action item) (attachment)

6. 07059 Determination of jurisdiction of complaint filed by Paul Graham against the San Francisco Fire Department for alleged failure to use redacted process to provide comprehensible records. (action item) (attachment)

7. Administrator's Report. (attachment)

8. Public comment for items not listed on the agenda.
(no action) (no attachment)

9. Announcements, questions, and future agenda items from Committee members.
(no attachment)

Adjournment **Next Regular Meeting September 11, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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August 14, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, August 14, 2007

4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair, Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:07 p.m

Roll Call: Present: Cauthen, Wolfe, Goldman

Excused: Chu

Agenda Changes: None

Deputy City Attorney: Ernie Llorente

Clerk: Chris Rustom

Approval of minutes of July 10, 2007

Speakers: None

Motion approving minutes of July 10, 2007 (Wolfe /Goldman)

Ayes: Cauthen, Wolfe, Goldman

Excused: Chu

4:09 PM – Chair Cauthen noted Deputy Attorney Ernie Llorente was not present and that she would continue the meeting until the attorney's opinion was heard

Without objection

07052 Determination of jurisdiction of complaint filed by Allen Grossman and Wayne Lamer against the San Francisco District Attorney's Office for alleged violation of Sunshine O[illegible] 67.26, 67.27, and 67.34 for failure to provide records, to keep withholding and ultimely response

Speakers: Mr. Wayne Lamer, complainant, yielded his allocated time to co-complainant Mr. Allen Grossman. Mr. Grossman outlined his complaint against the District Attorney's Office [illegible] granted the reserve time. Chair Cauthen noted that there was a late reply from Mr. Thomas Bogott of the DA's Office within the documents but Mr. Grossman wanted [illegible] complaint

Mr. Paul Henderson for the DA's Office said he had come in place of Mr. Bogott who had retired at the end of July 2007. Mr. Henderson also said he was willing to discuss the [illegible] cautioned that was not for the committee to do. Chair Cauthen suggested the parties get together later and see if they could reach an agreement

Mr. Grossman in rebuttal said he and Mr. Lamer's requests date back to June and April and they were attending the hearing for a jurisdictional decision

Public Comment: Kimo Crossman said if the DA's Office wanted to settle the issue, it could had done so earlier and not wait till today. Mr. Crossman also said the DA's Office was [illegible] mid-stream and was a tactic which he had seen used in other City departments

Chair Cauthen urged all parties to try and sort out the issues

Motion to recommend jurisdiction (Wolfe/Goldman)

Ayes: Cauthen, Wolfe, Goldman

Excused: Chu

07055 Determination of jurisdiction of complaint filed by Kimo Crossman against the District Attorney for alleged violation of Sunshine Ordinance §67.21 for failure to provide requested records

Speakers: Complainant Kimo Crossman said he requested a document that identified all records the DA's office kept but was only provided with a record

Mr. Grossman, in public testimony, urged the committee to find jurisdiction based on what was presented

Deputy City Attorney Ernie Llorente noted Mr. Crossman needed to clarify more of what he wanted from the DA's Office

Mr. Henderson of the DA's Office said he also could not determine what the request was about but was willing to meet the parties to solve the issues

Mr. Crossman directed members to page 63 in the packet and said he had not seen a response that satisfies 67.21c which is information about relevant [illegible]

Chair Cauthen asked Mr. Henderson and he confirmed that he was ready to talk to Mr. Crossman about his complaint

Member Wolfe noted that Mr. Crossman had not provided the committee with the original request and that there was correspondence in the packet that [illegible] administrator, had tried to contact Mr. Bogott by email and try to mediate the complaint

Motion to recommend jurisdiction (Wolfe/Goldman)

Ayes: Cauthen, Wolfe, Goldman

Excused: Chu

07056 Determination of jurisdiction of complaint filed by Myrna Lim against the Ethics Commission for alleged violation of Sunshine Ordinance §67.21 for failure to provide requested records

Chair Cauthen noted that Myrna Lim, the complainant, was considered a friend and did not think it would have an effect on making the jurisdiction decision. She [illegible] regarding her participation in the full task force

Speakers: Ms. Lim, citing various rules, regulations and codes, said she was entitled to documents used by the Ethics Commission to find her in technical violation of a law that [illegible] as a commissioner

Mr. John St. Croix of the Ethics Commission said the commission would not contest jurisdiction if Ms. Lim had requested and denied confidential documents. But [illegible] commission would contest jurisdiction

Ms. Lim in rebuttal said she wanted documents used to investigate her

Mr. Llorente, on Member Wolfe's inquiry, said because of Charter limitations and State law, a person under investigation may have to go to court to gain access to the [illegible]

Motion to recommend jurisdiction (Wolfe/Goldman)

Ayes: Cauthen, Wolfe, Goldman

Excused: Chu

Chair Cauthen requested a recess at 5:07 p.m.

The meeting resumed at 5:09 p.m

07057 Determination of jurisdiction of complaint filed by Jeff Ente against Supervisor Aaron Peskin for alleged incomplete production of documents

Speakers: Mr. Jeff Ente said he was seeking documents regarding the introduction of an ordinance and was concerned he had not given access to a [illegible]

Supervisor Peskin did not send a representative. Chair Cauthen asked the clerk to call his aide David Noyola and tell him that their presence was requested at the hearing

Mr. Ente in rebuttal said he would like to present oral statements to the task force if the committee found jurisdiction

Motion to recommend jurisdiction (Wolfe/Goldman)

Ayes: Cauthen, Wolfe, Goldman

Excused: Chu

07059 Determination of jurisdiction of complaint filed by Paul Graham against the San Francisco Fire Department for alleged failure to use redaction process [illegible]

Speakers: Mr. Paul Graham said the city, under state law, is mandated to have and made available to the public systems that are convenient, efficient and [illegible] government

Assistant Deputy Chief Lorrie Kalos said the Fire Department, under the Emergency Medical Services Agency guidelines, is required to respond to an emergency, [illegible] resources. The department, she said, is obligated to maintain confidentiality and has provided the requested documents, but cannot provide the billing information on particular calls [illegible] compromise privacy

Pete Howes, Deputy Chief of Emergency Services, advised the committee that the department is mandated to provide the number of paramedics and support staff to complete the [illegible]

[illegible]

Mr. Grunes said the Users Principle of Portability and Accountability and Privacy protection for medical records is vulnerable because of a recent Ohio Supreme Court decision

Co-payments on Medicare Part B benefit explained how a patient is billed

Motion [illegible] approved. [illegible]

Alex Earnest, Intern, Goldman

[illegible]

[illegible]

Speakers: None

[illegible]

[illegible]

[illegible]

Adjournment: The meeting was adjourned at 6:25 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, September 11, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of August 14, 2007. (action item) (attachment)

2. 07046 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

3. 07047 Determination of jurisdiction of complaint filed by Kimo Crossman against the Mayor for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

4. 07048 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sheriff for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

5. 07049 Determination of jurisdiction of complaint filed by Kimo Crossman against the Department of Telecommunications and Information Services for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

6. 07050 Determination of jurisdiction of complaint filed by Kimo Crossman against the Public Utilities Commission for violation of Sunshine Ordinance §§67.4, and

6. 07050 Determination of jurisdiction of complaint filed by Kimo Crossman against the Public Utilities Commission for violation of Sunshine Ordinance §§67.4, and 67.29-5 for alleged failure to post calendar of passive meetings on the website. (action item) (attachment)

7. 07053 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sheriff for violation of Sunshine Ordinance §67.21 for alleged failure to provide records requested. (action item) (attachment)

8. 07054 Determination of jurisdiction of complaint filed by Kimo Crossman against the Sheriff for violation of Sunshine Ordinance §67.29 for alleged failure to properly retain video records. (action item) (attachment)

9. Administrator's Report. (attachment)

10. Public comment for items not listed on the agenda. (no action) (no attachment)

11. Announcements, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting September 11, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3.	Complainant presents rebuttal	3 minutes
4.	Public comment	Up to 3 minutes each
	(Excluding Complainant & City response, witnesses)	
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
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SUNSHINE ORDINANCE
TASK FORCE

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SUNSHINE ORDINANCE TASK FORCE

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September 11, 2007 Complaint Committee Meeting 4:00 PM City Hall, Room 406

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, October 9, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of August 14, 2007. (action item) (attachment)

2. 07060 Determination of jurisdiction of complaint filed by Alex Clark against the Public Utilities Commission for alleged failure to provide requested records and failure to provide written justification for withholding of the records. (action item) (attachment)

3. 07063, 07064, and 07065 Determination of jurisdiction of complaint filed by Ray Hartz against the City Attorney for violation of Section 67.21 (c) of the Sunshine Ordinance for alleged failure to provide assistance with identifying and obtaining public information from the San Francisco Police Department, refusal to release requested information, and refusal to acknowledge the Departments responsibility to comply with the Sunshine Ordinance. (action item) (attachment)

4. 07066 Determination of jurisdiction of complaint filed by Charles Pitts against the Department of Human Services and the Central City Hospitality House for alleged failure to provide a complete copy of his personnel file. (action item) (attachment)

5. 07067 Determination of jurisdiction of complaint filed by Jodi Watson against the Entertainment Commission for alleged failure to provide the requested records containing noise reports completed against Slim's Nightclub from May through June 2007. (action item) (attachment)

6. 07068 Determination of jurisdiction of complaint filed by Maxine Doogan against the District Attorney for alleged failure to provide requested records. (action item) (attachment)

7. 07069 Determination of jurisdiction of complaint filed by Ray Hartz against the office of Supervisor Aaron Peskin for violation of Section 67.21 (c) of the Sunshine Ordinance for alleged failure to provide assistance. (action item) (attachment)

8. 07071 Determination of jurisdiction of complaint filed by Dee Modglin against the Mayor's Office of Housing for alleged incomplete and inaccurate release of information. (action item) (attachment)

9. 07072 Determination of jurisdiction of complaint filed by Randell Evans against the Redevelopment Agency and Mayor's WACAC for alleged incomplete minutes by not identifying public speakers or summarizing their comments, failure to provide the agenda and packet although identified on their mailing list, and interrupting a speaker during public comment and deducting the interruption from the speakers time. (action item) (attachment)

10. 07073 Determination of jurisdiction of complaint filed by Russell Albano against the Department of Human Resources – Workers Compensation Division for alleged failure to respond to two public records request, and failure to provide records. (action item) (attachment)

11. 07074 Determination of jurisdiction of complaint filed by Russell Albano against the San Francisco Fire Department for alleged failure to respond in a timely manner, failure to provide the records requested, and failure to provide justification for withholding. (action item) (attachment)

12. Administrator's Report. (attachment)

13. Public comment for items not listed on the agenda. (no action) (no attachment)

14. Announcements, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting November 13, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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October 9, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES

Tuesday, October 9, 2007

4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Kristin Chu, Bruce Wolfe, Nicholas Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Cauthen, Wolfe, Goldman

Excused: Chu

Agenda Changes: Items 5 and 7 were heard after item number 1.

Deputy City Attorney: Ernie Llorente

Clerk: Chris Rustom

1. Approval of minutes of August 14, 2007.
Speakers: None
Motion approving minutes of August 14, 2007. (Wolfe / Goldman)
Aye: Cauthen, Wolfe, Goldman
Excused: Chu
Member Wolfe proposed that the committee acknowledge that Member Chu would be excused for the whole meeting. There was no objection.

2. 07060 Determination of jurisdiction of complaint filed by Alex Clark against the Public Utilities Commission for alleged failure to provide requested records and failure to provide written justification for withholding of the records.
Speakers: Alex Clark, Complainant, said although he has received 25,000 documents that he has not reviewed the department has not responded to his May 21, 2007 Immediate Disclosure Request.
Chair Cauthen asked the clerk to add "Failure to provide a timely response" to the complaint
Diane Parker, Respondent, said the department does not contest jurisdiction.
Motion to recommend jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

3. 07063, 07064, and 07065 Determination of jurisdiction of complaint filed by Ray Hartz against the City Attorney for violation of Section 67.21 (c) of the Sunshine Ordinance for alleged failure to provide assistance with identifying and obtaining public information from the San Francisco Police Department, refusal to release requested information, and refusal to acknowledge the Department's responsibility to comply with the Sunshine Ordinance
Speakers Ray Hartz, Complainant, said that since the City Attorney's Office defends City Department's it should have access to the documents he wants from the Police Department.
Matt Dorsey, Respondent, said the department is not contesting jurisdiction but believes it would be unreasonable to find it. However, he would act as a go-between and try to assist Mr. Hartz.
Motion to recommend jurisdiction. (Wolfe / Goldman)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu
Chair Cauthen called for a break at 4:46. The meeting resumed at 4: 57

4. 07066 Determination of jurisdiction of complaint filed by Charles Pitts against the Department of Human Services and the Central City Hospitality House for alleged failure to provide a complete copy of his personnel file
Speakers: Charles Pitts, Complainant, said the City Attorney did not review laws governing non-profits when making his determination and that he wants all files CCHH has on him, including the Feb 22 incident reports
Jackie Jenks, Respondent, said non-profit CCHH contests jurisdiction.
DCA Llorente was asked by Chair Cauthen to explain why he does not find jurisdiction. DCA Llorente said that the documents Mr. Pitts requested are personnel files or performance files of an individual and are not listed under Chapter 12L of the Administrative Code.
Chair Cauthen asked the clerk to ask Administrator Frank Darby to notify Pamela Tebo of DHS that her presence, per Sunshine, is required even though the City Attorney's Office found no jurisdiction. She asked Mr. Darby to write a letter and send it to the chair for her signature.
Ms. Jenks, executive director of CCHH, said Ms Tebo was not present because DHS was seen as the mediator and the Sunshine request was made to CCHH, a DHS contractor.
Mr. Pitts noted that the request was made to DHS because no other entity was listed on the complaint form
Motion to recommend jurisdiction. (Wolfe / Goldman)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

5. 07067 Determination of jurisdiction of complaint filed by Jodi Watson against the Entertainment Commission for alleged failure to provide the requested records containing noise reports completed against Slim's Nightclub from May through June 2007.
Speakers: Jodi Watson, Complainant, said the EC still has not responded to a request for information on a noise report. Bob Davis, Respondent, said the commission has assisted Ms. Watson and that jurisdiction was not contested. Documents, he said, had been mailed to Ms. Watson.
Chair Cauthen asked Ms. Watson to include "non-response to an immediate disclosure request" in her complaint.
Public comment: Coby Watson, spouse of the complainant, said he had not seen any of the documents Mr Davis mentioned.
Motion to recommend jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

6. 07068 Determination of jurisdiction of complaint filed by Maxine Doogan against the District Attorney for alleged failure to provide requested records.
Speakers: Maxine Doogan, Complainant, said the committee should find jurisdiction because the documents do exist, a conclusion reached by reviewing partial information provided by the department.
Chair Cauthen asked her to resubmit certain documents that were compressed and not readable
Sandip Patel, Respondent, accepted jurisdiction but noted that the DA's office did provide information but not

those excluded under State law. However, he said, the DA's office would like to talk to Ms. Doogan to reach an acceptable conclusion.
Motion to recommend jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

7 07069 Determination of jurisdiction of complaint filed by Ray Hartz against the office of Supervisor Aaron Peskin for violation of Section 67.21 (c) of the Sunshine Ordinance for alleged failure to provide assistance
Speakers: Ray Hartz, Complainant, said Supervisor Peskin as his representative should assist him in getting the information he needs from various city departments. Rose Chung, Respondent, said the supervisor's office agrees with the City Attorney's jurisdiction recommendation.
Motion to recommend jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

8 07071 Determination of jurisdiction of complaint filed by Dee Modglin against the Mayor's Office of Housing for alleged incomplete and inaccurate release of information.
Speakers: Dee Modglin, Complainant, said her group wants complete and accurate information so that moderate-to low income units, regardless of location, are made available to those who are in need.
Respondents: Douglas Shoemaker, deputy director of the Mayor's office of Housing, said jurisdiction is not being contested but noted that the documents in question were those transferred from various agencies and were received incomplete. Redaction was also according to law.
Public comment: Laura Carroll said she had made a similar request on overlapping issues to the Mayor's office and received what was requested while Ms. Modlin did not, and vice-versa.
Responding to a query from Member Wolfe, Ruby Harrison with the Mayor's office of Housing, said her department did not have an email system until 1997 and the web site came up in 1998. Images of emails for certain officials were retained and DTIS provided the information.
Motion to recommend jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

9. 07072 Determination of jurisdiction of complaint filed by Randell Evans against the Redevelopment Agency and Mayor's Western Addition Citizens Advisory Committee (WACAC)for alleged incomplete minutes by not identifying public speakers or summarizing their comments, failure to provide the agenda and packet although complainant identified on their mailing list, and interrupting a speaker during public comment and deducting the interruption from the speakers time.
Speakers: Randell Evans, Complainant, said he has a Redevelopment Agency document which refers to a Oct 17, 2006 workshop and would provide his evidence at the next Task Force meeting.
Deputy City Attorney Ernie Llorente explained that the Redevelopment Agency is a State body and does not have to follow San Francisco's Sunshine laws. However, the members would have to determine the status of WACAC relative to Sunshine.
Respondent Jim Morales agreed with Mr. Llorente's assessment that it is not subject to Sunshine as is the WACAC, a passive body, which also follows the Brown Act.
Arnold Townsend, president and chair of the WACAC, said he is ready to respond to the allegations but wanted the committee to know that his group is a passive body that does not set policy but only advises the commission.
Ace Washington, a community activist, said that he is against the CAC and noted that the mayor has never visited the community.
Sheryl Davis, appointed to the CAC by Mayor Newsom, wanted to know what the charges are, and urged members to view the videotapes with an even hand.
Mr. Evans, in rebuttal, said a review of the agendas will show that the CAC is an active body because of the number of businesses it approves for the area. He said the CAC members are public servants and should be held accountable.
Motion to accept jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

10 07073 Determination of jurisdiction of complaint filed by Russell Albano against the Department of Human Resources – Workers Compensation Division for alleged failure to respond to two public records request, and failure to provide records.
Mr. Llorente asked to be recused from Items 10 and 11 because the agencies involved are his clients in one of his other jobs. The jurisdictional letters for both complaints, he said, were authored by Deputy City Attorney Rosa Sanchez, who would appear before the full task force.
Speakers: Russell Albano, Complainant, said he wants to know what information the Workers Compensation Division, the City Attorney's Office and the Fire Department have on him. The various departments, he said, are making decisions based on a certain document ano since he is a party to the proceedings he should also have access to it. Workers Comp, he added, responded 41 days after the initial request was made.
Mr. Albano, on suggestion made by Chair Cauthen, asked to add failure to provide justification for withholding as a cause of action.
Seeing no representatives from the department, Chair Cauthen requested Mr. Darby to draft a letter to the Workers Comp Division of DHS telling them they were expected to be present and are expected to be present at the full task force. Chair Cauthen wants to see the letter before it gets sent and either she or Task Force Chair Doug Comstock would sign the letter. Member Wolf expressed concern about department representatives not being present during jurisdictional hearings.
Motion to accept jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman
Excused: Chu

11 07074 Determination of jurisdiction of complaint filed by Russell Albano against the San Francisco Fire Department for alleged failure to respond in a timely manner, failure to provide the records requested, and failure to provide justification for withholding.
Speakers: Russell Albano, Complainant, said attorney-client privilege was not an issue when the documents were being collected. It was only later when copies were being sent to the City Attorney's Office that the attorney-client privilege was mentioned. Rhab Boughn, Respondent, said Mr. Albano's requests have been met but agreed to meet with Mr. Albano later to reach an agreement. The department, he said, does not contest jurisdiction.
Motion to accept jurisdiction. (Goldman / Wolfe)
Ayes: Cauthen, Wolfe, Goldman

Excused: Chu

12. Administrator/s Report
The Administrator submitted his report.
Speakers: None

13. Public Comment for items not listed on the agenda
Speakers: Dan Baret wanted to know when the full task force would hear his complaints filed earlier in the day

14. Announcements, questions, and future agenda items from Committee members.
Speakers: None

Adjournment The meeting was adjourned at 6:33 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

City Hall
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San Francisco 94102-4689
Tel. No. 554-7724
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, November 13, 2007
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of October 9, 2007. (action item) (attachment)

2. 07075 Determination of jurisdiction of complaint filed by Laura Carroll against the Mayor's Office of Housing for violation of Section 67.26 of the Sunshine Ordinance for alleged failure to provide documents, and failure to keep withholding to a minimum. (action item) (attachment)

3. 07076 Determination of jurisdiction of complaint filed by Charles Bolton against the Department of Public Works for violation of Sections 67.24, 67.25, 67.7-1 and 67.5 of the Sunshine Ordinance for alleged failure to provide records, untimely response, improper notice of the July 25, 2007, meeting, and failure to allow public comment at the September 5, 2007, meeting. (action item) (attachment)

4. 07077 Determination of jurisdiction of complaint filed by Allen Grossman against the Office of the District Attorney for violation of Sections 67.21 (b), 67.25 (a) of the Sunshine Ordinance, and CPRA Section 6253 (b) for alleged failure to respond to an immediate disclosure requested submitted on September 20, 2007. (action item) (attachment)

5. 07078 & 07079 Determination of jurisdiction of complaint filed by John Chapman against the Controllers Office and the Public Utilities Commission for alleged failure to provide records requested and failure to respond in a timely manner. (action item) (attachment)

6. 07080 Determination of jurisdiction of complaint filed by Dan Boreen against the Fire Department for violation of Sections 67.24-67.27; 67.29-5 of the Sunshine Ordinance, and CPRA Section 6254 for alleged failure to provide records, failure to keep withholding to a minimum, failure to justify withholding, and untimely response. (action item) (attachment)

7. 07081 Determination of jurisdiction of complaint filed by Hanley Chan against the Police Department for violation of Section 67.21 and 67.22 of the Sunshine Ordinance for alleged failure to provide records and oral information. (action item) (attachment)

8. 07082 Determination of jurisdiction of complaint filed by Wayne Lanier against the Department of Telecommunications and Information Services for violation of Sections 67.21 (b), (c), 67.25 (b), and 67.29-7 (a) of the Sunshine Ordinance for alleged failure to provide records, failure to justify withholding, untimely response, and failure to maintain and preserve records. (action item) (attachment)

9. 07083 Determination of jurisdiction of complaint filed by John Darmanin against the Fire Commission for alleged violation of Sections 67.15 (a) and (b) and 67.7 (a) for alleged failure to allow public comment on an action item at the October 11, 2007, Commission meeting. (action item) (attachment)

10. 07084 Determination of jurisdiction of complaint filed by Marcus Santiago against the City Attorney for violation of Section 67.22 of the Sunshine Ordinance for alleged failure to provide oral information. (action item) (attachment)

11. Administrator's Report. (attachment)

12. Public comment for items not listed on the agenda.
(no action) (no attachment)

13. Announcements, questions, and future agenda items from Committee members.
(no attachment)

Adjournment **Next Regular Meeting December 11, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be made a part of the official public record. (*Section 67.7-1 (c)*)

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

Cell phones, pagers and similar sound-producing electronic devices: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Frank Darby by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at sotf@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code from the Internet, http://www.sfgov.org/site/sunshine_page.asp?id=34495

November 13, 2007

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES

Tuesday, November 13, 2007
4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair, Kristin Chu, Nicholas Goldman

Call to Order: 4:02 pm

Roll Call: Present: Cauthen, Chu, Goldman

Agenda Changes: Item #4 was heard after item #1

Deputy City Attorney: Rosa Sanchez

Administrator: Frank Fudo

Chair Cauthen announced that item #8 was continued by agreement of both parties prior to the meeting and that the complaint for item #10 was withdrawn.

1. Approval of minutes of October 9, 2007.
Speakers: None
Motion approving minutes of October 9, 2007. (Goldman / Chu)
Ayes: Cauthen, Chu, Goldman

2. 07075 Determination of jurisdiction of complaint filed by Laura Carroll against the Mayor's Office of Housing (MOH) for violation of Section 67.26 of the Sunshine Ordinance for alleged failure to provide documents, and failure to keep withholding to a minimum.
Speakers: Laura Carroll, Complainant, asked the committee to add a violation of Section 67.21 because she did not receive all documents requested. She said that the department is withholding records related to research that is considered attorney-client privileged. Dee Modglin, in support of the complainant, said that Ms. Carroll did not receive a massive amount of e-mail that is in her file, and was not provided key information. She urged the committee to find jurisdiction. Douglas Shoemaker, MOH, said that he does not contest jurisdiction, that the only records that were not provided are privileged communications between the Department and the City Attorney. He said that he'd gladly give Ms. Carroll everything that he gave to Ms. Modglin.
Chair Cauthen asked the Administrator to add Section 67.21 as a possible violation.
Motion to recommend jurisdiction. (Goldman / Chu)
Ayes: Cauthen, Chu, Goldman

3. 07076 Determination of jurisdiction of complaint filed by Charles Bolton against the Department of Public Works for violation of Sections 67.24, 67.25, 67.7-1 and 67.5 of the Sunshine Ordinance for alleged failure to provide records, untimely response, improper notice of the July 25, 2007, meeting, and failure to allow public comment at the September 5, 2007, meeting.
Speakers: Charles Bolton, Complainant, said that he was not provided records pertaining to the Mechanical Street Cleaning legislation. He said that the public was not allowed to speak again on a continued item at the September meeting.
DCA Sanchez, in response to Chair Cauthen, said that public comment is allowed once on an item, even if the item has been continued.
Chair Cauthen asked Mr. Bolton if the department provided justification for withholding. Mr. Bolton responded no.
Chair Cauthen asked the administrator to add a violation of section 67.15, and 67.27 to the complaint.
Motion to recommend jurisdiction. (Goldman / Chu)
Ayes: Cauthen, Chu, Goldman
Chair Cauthen asked the Administrator to write a letter to the department requesting that they attend the full Task Force hearing on November 27, 2007, and to inform them that attendance by the custodian of records or the most knowledgeable representative of the department, who can speak to the matter, is required at the meeting.

4. 07077 Determination of jurisdiction of complaint filed by Allen Grossman against the Office of the District Attorney for violation of Sections 67.21 (b), 67.25 (a) of the Sunshine Ordinance, and CPRA Section 6253 (b) for alleged failure to respond to an immediate disclosure requested submitted on September 20, 2007.
Speakers: Allen Grossman, Complainant, said that he hasn't received anything from the respondents and urged jurisdiction.
Motion to recommend jurisdiction. (Goldman / Chu)
Ayes: Cauthen, Chu, Goldman
Sandip Patel, respondent arrived after item #2 and was informed by Chair Cauthen that the "balancing act" for disclosure referred to in the DA's response is not a valid reason for non disclosure. Mr. Patel said the DA was responding to the alleged violation of the CPRA.

5. 07078 & 07079 Determination of jurisdiction of complaint filed by John Chapman against the Controllers Office and the Public Utilities Commission for alleged failure to provide records requested and failure to respond in a timely manner.
Speakers: John Chapman, Complainant, said that since filing the complaint he has received the audit that he requested, but not in a timely manner. John Darmanin, in support, said that the Task Force should determine that the audit was not received in a timely manner.
Michele Modena, Respondent (PUC), apologized for not responding in a timely manner. She said that the audit didn't exist at the time it was requested, and that they received it from the Controllers Office.
Christian Devoldo, Respondent (Controller) said that the Controllers Office has provided the complainant with all responsive documents.
Motion to recommend jurisdiction. (Goldman / Chu)
Ayes: Cauthen, Chu, Goldman
Chair Cauthen urged the parties to converse and attempt to resolve the matter prior to the full Task Force meeting.

6. 07080 Determination of jurisdiction of complaint filed by Dan Boreen against the Fire Department for violation of Sections 67.24-67.27; 67.29-5 of the Sunshine Ordinance, and CPRA Section 6254 for alleged failure to provide records, failure to keep withholding to a minimum, failure to justify withholding, and untimely response.
Speakers: Dan Boreen, Complainant, said that his complaint is about the departments redactions from the signed time rolls, not providing the Department Head Calendar, or entries for 2006. John Darmanin, in support, said that the request is reasonable and that the information deleted from the time rolls is not private

Sue Cauthen asked DCA Sanchez to ask DCA Llorente to provide information regarding a recent court order requiring disclosure of public official's pay.

Rhab Boughn, Respondent, said that the department has complied with the request and that certain information on the time rolls is confidential.

Motion to recommend jurisdiction (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

Chair Cauthen urged the parties to converse and attempt to resolve the matter, prior to the full Task Force meeting.

7 07081 Determination of jurisdiction of complaint filed by Hanley Chan against the Police Department for violation of Section 67.21 and 67.22 of the Sunshine Ordinance for alleged failure to provide records and oral information

Speakers: Hanley Chan, Complainant, said that he requested information explaining why an applicant was denied employment, that he also requested a detailed written hiring process, a written definition of good and moral character, and any documents on himself that he didn't receive.

Jack Hart, Counsel for Respondent, said that he is not aware of any request for documents, whether oral or written, but that the department was responsive to Mr. Chan's request for information. He said that information about the hiring process has already been provided.

Motion to recommend jurisdiction. (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

Chair Cauthen urged the parties to converse and attempt to resolve the matter, prior to the full Task Force meeting.

8 07082 Determination of jurisdiction of complaint filed by Wayne Lanier against the Department of Telecommunications and Information Services for violation of Sections 67.21 (b), (c), 67.25 (b), and 67.29-7 (a) of the Sunshine Ordinance for alleged failure to provide records, failure to justify withholding, untimely response, and failure to maintain and preserve records.

Continued by agreement of both parties prior to the meeting.

9 07083 Determination of jurisdiction of complaint filed by John Darmanin against the Fire Commission for alleged violation of Sections 67.15 (a) and (b) and 67.7 (a) for alleged failure to allow public comment on an action item at the October 11, 2007, Commission meeting.

Speakers: John Darmanin, Complainant, said that he was not allowed to provide additional public comment on an item after it was amended by a motion. He said that although this may be the letter of the law it is not the intent of the Sunshine Ordinance. Dan Boreen, in support, said that the commission has a practice of repackaging motions after public comment, but not allowing additional public comment.

Tania Bauer, Respondent, said that although there was continued discussion regarding the Annual Statement of Purpose for FY 07-08, no changes were made to it.

Motion to recommend jurisdiction (Goldman / Cauthen)

Ayes: Cauthen, Goldman

Excused: Chu

Chair Cauthen urged the parties to converse and attempt to resolve the matter, prior to the full Task Force meeting.

10 07084 Determination of jurisdiction of complaint filed by Marcus Santiago against the City Attorney for violation of Section 67.22 of the Sunshine Ordinance for alleged failure to provide oral information.

Complaint withdrawn prior to the meeting.

11 Administrator/s Report

The Administrator submitted his report.

Speakers: None

12 Public Comment for items not listed on the agenda

Speakers: None

13 Announcements, questions, and future agenda items from Committee members.

Speakers: None

Adjournment The meeting was adjourned at 5:45 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, December 11, 2007
3:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order; Roll Call; Agenda Changes

1. Approval of minutes of November 13, 2007. (action item) (attachment)

2. 07082 Determination of jurisdiction of complaint filed by Wayne Lanier against the Department of Telecommunications and Information Services for violation of Sections 67.21 (b), (c), 67.25 (b), and 67.29-7 (a) of the Sunshine Ordinance for alleged failure to provide records, failure to justify withholding, untimely response, and failure to maintain and preserve records. (action item) (attachment)

3. 07085 Determination of jurisdiction of complaint filed by Mr. Alvin against the Grants for the Arts for alleged failure to provided requested records and information. (action item) (attachment)

4. 07087 Determination of jurisdiction of complaint filed by Allen Grossman against the Mayor's Office for alleged failure to respond to a Immediate Disclosure Request submitted on October 2, 2007, and repeated on October 19, 2007. (action item) (attachment)

5. 07088 Determination of jurisdiction of complaint filed by Kimo Crossman against the Assessor's Office for alleged violation of Sections 67.1, 67.4 (a), 67.21 (a) and (b), 67.25 (a) and (d), 67.26, 67.27, and 67.34 of the Sunshine Ordinance, Government Code Sections 6253 (a) and (c), 6255 (a), and Constitution Article I, Section 3, for failure to provide requested records, untimely response, failure to provide passive meeting notice, invalid invocation of voluminous documents extension, failure to incrementally deliver records, willful failure and official misconduct. (action item) (attachment)

6. 07089 Determination of jurisdiction of complaint filed by Kimo Crossman against the District Attorney's Office for alleged violation of Sections 67.1, 67.4 (a), 67.21 (a), (b), (i), (k) and (l), 67.21-1, 67.25 (d), 67.26, 67.27, 67.29-7 (a) and 67.34 of the Sunshine Ordinance, Government Code Sections 6253 (a) and (c), 6255 (a), and Constitution Article I, Section 3, for failure to provide requested records, untimely response, invalid redactions, and invalid exemption for Attorney Client communications. (action item) (attachment).

7. 07090 Determination of jurisdiction of complaint filed by Kimo Crossman against the Municipal Transportation Agency and Commission for alleged violation of Sections 67.1, 67.24 (a)(2) and (e)(3)(iii), and 67.21 (b) of the Sunshine Ordinance for failure to provide records for review in a timely manner, invalid invocation of an extension for records access, and failure to provide a summary of verbal positions. (action item) (attachment)

8. 07091 Determination of jurisdiction of complaint filed by Dr. Ahimsa Porter Sumchai against Supervisor Sophie Maxwell for allegedly delaying public comment on an item at the October 29, 2007, Land Use and Economic Development Committee. (action item) (attachment)

9. 07092 Determination of jurisdiction of complaint filed by Patrick Monette-Shaw against the Board of Supervisors and Human Resources Department for alleged violation of Sections 67.10, 67.8 (a)(5) of the Sunshine Ordinance and Government Code Section 54957.6 (a) for improperly holding a closed session. (action item) (attachment)

10. Administrator's Report. (attachment)

11. Public comment for items not listed on the agenda.
(no action) (no attachment)

12. Announcements, questions, and future agenda items from Committee members.
(no attachment)

Adjournment **Next Regular Meeting January 8, 2007**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Administrator by mail to: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at (415) 554-7724; by fax at (415) 554-7854; or by email at SOTF@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from the Administrator or by printing Chapter 67 of the San Francisco Administrative Code from the Internet, at URL:
http://www.sfgov.org/site/sunshine_page.asp?id=34495

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, February 12, 2008
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of December 11, 2008. (action item) (attachment)

2. 08001 Determination of jurisdiction of complaint filed by Kimo Crossman against the District Attorney's Office for alleged failure to provide the calendar of District Attorney Kamala Harris in electronic format and without charging a fee. (action item) (attachment)

3. 08003 Determination of jurisdiction of complaints filed by Christian Holmer against the Mayor's Office for alleged failure to provide records in response to Immediate Disclosure Requests for press releases the Mayor issued the previous day. (action item) (attachment)

4. 08004 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide communications between the City Attorney and District Attorney on Sunshine matters, detailed billing records for this advice, and calendars of City Attorneys who provided advice. (action item) (attachment)

5. 08005 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide communications between the City Attorney and Harrison Sheppard on Sunshine matters, detailed billing records, and calendars of City Attorneys who interacted with Mr. Sheppard. (action item) (attachment).

6. 08006 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide all materials related to the Buck Delventhal meeting of October 9, 2007, regarding Sunshine Task Force hearings against Supervisors Peskin and Maxwell, and failure to provide any materials or communications before or after the meeting relating to the matters discussed. (action item) (attachment)

7. 08007 Determination of jurisdiction of complaint filed by Kimo Crossman against City Attorney's Office for alleged failure to provide communications between the City Attorney and the Clerk of the Board of Supervisors on Sunshine matters, detailed billing records for this advice, and calendars of City Attorneys who provided advice. (action item) (attachment)

8. 08008 Determination of jurisdiction of complaint filed by Stephen Worshey against the Recreation and Park Department for alleged failure to provide requested records, namely: Procedures used to select COIT Partner and areas of background investigation, findings on the partners, and complete review and acceptance signatures. (action item) (attachment)

9. Discussion regarding the direction of the Complaint Committee and Task Force efficiency. (discussion and possible action item) (attachment)

10. Administrator's Report. (attachment)

11. Public comment for items not listed on the agenda.
(no action) (no attachment)

12. Announcements, questions, and future agenda items from Committee members.
(no attachment)

Adjournment **Next Regular Meeting March 11, 2008**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking time for Complainant and City to be the same	
3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
5.	Matter is with the Task Force for discussion and deliberation	
6.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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February 12, 2008

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, February 12, 2008
4:00 p.m., City Hall, Room 406

GOVERNMENT DOCUMENTS DEPT

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Committee Members: Sue Cauthen, Chair; Kristin Chu, Nicholas Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Cauthen, Chu (left 6:55 p.m.), Goldman

Agenda Changes: None

Deputy City Attorney: Rosa M. Sanchez

Clerk: Chris Rustom

1 Approval of minutes of December 11, 2007

Speakers: None

Motion approving minutes of December 11, 2007 (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

2 08001 Determination of jurisdiction of complaint filed by Kimo Crossman against the District Attorney's Office for alleged failure to provide the calendar of District Attorney Kamala Harris [illegible] and without charging a fee

Speakers: Kimo Crossman, complainant, said he requested Ms. Harris' calendar to be scanned in PDF and emailed to him but the DA's Office made a print-out and wanted to charge him $ [illegible] page. The DA, he said, thinks the Sunshine Ordinance applies to them in general but Section 67.24 (d) does not exclude the department. Dan Boreen said the DA's Office [illegible] and transparency in the absence of a specific exception. Stephen Worsley said $ 10 is a small amount compared to the time spent in going to the office, logging the document [illegible] collecting and paying for it on another trip. Transparency in the modern day means it should be available on the Internet.

Sandip Patel of the DA's Office said his department accepted limited jurisdiction pursuant to Revero vs. Superior Court which was an Appellant Court case. His office, he said, [illegible] to object to jurisdiction at any point if it exceeds the holding of Revero vs. Superior Court.

In rebuttal, Mr. Crossman said he would like to see the DA's arguments in writing.

Chair Cauthen asked Mr. Patel to provide the committee with a copy of the Revero vs. Superior Court case and have it included in the Task Force packet. Member Chu also requested an opinion from DCA Toronto.

Public comment: Dan Boreen said the Sunshine Ordinance makes it very clear that attorneys are not supposed to act on behalf of a department in order to support withholding a public [illegible]

Motion to find jurisdiction (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

3 08003 Determination of jurisdiction of complaint filed by Christian Holmer against the Mayor's Office for alleged failure to provide records in response to Immediate Disclosure Requests for [illegible] the Mayor issued the previous day.

Speakers: None

Motion recommending jurisdiction (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

Chair Cauthen asked the clerk to notify the Mayor's Office that not appearing before the committee was in violation of the Ordinance and that she expected [illegible] meeting.

Note: Mr Holmer arrived after the jurisdiction motion was made and voted on. He was told jurisdiction was found and to appear before the Task Force on [illegible]

4 08004, 08005, 08007 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide communications between [illegible] Sunshine matters, detailed billing records for this advice, and calendars of City attorneys who provided advice.

Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide communications between the City Attorney and [illegible] Sunshine matters, detailed billing records, and calendars of City attorneys who interacted with Mr. Sheppard.

Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide communications between the City Attorney and the [illegible] of Supervisors on Sunshine matters, detailed billing records for this advice, and calendars of city attorneys who provided advice.

Chair Cauthen noted that files 08004, 08005, 08006, and 08007 were identical with the exception of 08006 which has an extra request. She suggested combining 08014, 08005, and [illegible] wanted to hear from Mr. Crossman and the other committee members before proceeding.

Kimo Crossman, the complainant, said he did not object to combining complaints #07004, #07005 and #07007. He said the CAO has not responded to any of his requests since [illegible] department to state why his requests could not be acted on within the required periods. He said the department was prioritizing his requests but was interested [illegible] Crossman also said the committee agenda was missing sections of the Ordinance the department had violated.

Member Goldman suggested combining 08004, 08005 and 08007. Member Chu agreed.

Motion finding jurisdiction on 08004, 08005 and 08007 (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

5 08006 Determination of jurisdiction of complaint filed by Kimo Crossman against the City Attorney's Office for alleged failure to provide all materials related to the Buck Delventhal meeting [illegible] 2007, regarding Sunshine Task Force hearings against Supervisors Peskin and Maxwell, and failure to provide any materials or communications before [illegible] discussed.

Kimo Crossman, complainant, said he wants to know what was discussed during an apparent meeting between DCA Buck Delventhal and representatives of Supervisors [illegible] Maxwell as suggested in a document made available in a different Sunshine document request. The supervisors, he said, had pending Sunshine complaints at the time the meeting [illegible] request also included a 15-minute phone conversation with Mr. Delventhal.

Public comment: none

Motion accepting jurisdiction (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

6 08008 Determination of jurisdiction of complaint filed by Stephen Worsley against the Recreation and Park Department for alleged failure to provide requested records, namely [illegible] COIT Partner and areas of background investigation, findings on the partners' and complete review and acceptance signatures.

Chair Cauthen announced that she has had previous contact with the complainant, but would not recuse herself because she believed she could be impartial.

Mr. Worsley, the complainant, said Carl Tower was about to be privatized and the contract going to a businessman who runs the Santa Monica Pier[illegible]. He said he [illegible] documents from Margo Staub, the department's property management division manager, to see what Rec & Park knows about the business [illegible] heritage site is going to be turned into a carnival where beer and wine are going to be sold all day long, and tourist bric-a-brac sold in the rotunda.

Rose Dennis, representing Park & Rec, said the department has provided Mr. Worsley with numerous documents many times and is still trying to accommodate his requests. [illegible] request she had brought him a copy of a document he requested. Ms. Dennis said if jurisdiction was found, the department has documents [illegible] shows "[illegible]".

In rebuttal, Mr. Worsley said he feels that there is a secret hope among Rec & Park officials that they will be able to close the deal without public scrutiny.

Public comment: Kimo Crossman commented on Ms. Dennis' use of "inordinate amount of time" spent on assisting Mr. Worsley. He said the Ordinance says [illegible] as part of a City employee's daily workload. Dan Boreen said the committee should automatically find official misconduct if the department produces the document [illegible]

Member Chu and Chair Cauthen reminded Mr. Worsley to provide the Task Force with detailed information to help them decide his case.

Motion finding jurisdiction (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

Discussion regarding the Sunshine Complaint Committee and Task Force efficiency

The committee reviewed the December 11, 2007 meeting minutes and discussed issues related to the topic. The topics include Member Chu's suggestion that the Complaint Committee be disbanded and the Task Force hold two meetings a month, Mr. Grossman's sentiment that it would make things easier if departments were forced to abide by the deadlines, and Mr. Crossman's support for disbanding the committee

The committee also took into consideration Administrator Frank Darby and DCA Ernie Llorente's position that said it would become more complicated if certain work was not done in committee. They also revisited the committee's Mission Statement and went over the Complaint Procedures

They decided to recommend to the Task Force that the committee be discouraged from spending excessive time debating jurisdiction when both the City Attorney and the department have no objection to it. It would also apply when the complainant and respondent have not objected to jurisdiction and there is a request to exercise Rule 4 of the Mission and Work Plan

Public Comment: Kimo Crossman said people don't know the process. They automatically want to argue their case even though the issue is just jurisdiction. If jurisdiction is not disputed the complaint should automatically go to the Task Force. Hold two Task Force meetings a month for a few months and assess the situation, he suggested. He said he has to take off from work to attend the hearings. Dan Bergen said the Task Force has in the past allowed a hearing on jurisdictional and the merits at the same time. He said the only objection to jurisdiction would be from the department or an individual. If that happens, the burden should shift to the person or department and ask for the reason in writing, send it to the Task Force and give presentation time.

Chair Cauthen suggested helping complainants understand the process and helping them collect evidence should also be part of the committee's role. It was agreed that Chair Cauthen would ask the Task Force chair to have the committee agendized at its next meeting so that she would tell members that the committee would only discuss contested jurisdictions. She also wanted to further hear from Administrator Frank Darby and DCA Llorente and requested their presence at the next Task Force meeting

Administrator's Report

The Administrator submitted his report

Speakers: Kimo Crossman complained that he was not provided with a copy of the City Attorney's response to two of his files on two different two occasions. Chair Cauthen asked the clerk to make sure documents are provided to both parties

Public Comment

Speakers: Dan Hansen said if the Task Force is to meet twice a month, it is because of a department's failure to comply. He said he filed four complaints in November 2007. Jurisdiction was found and Orders of Determination issued and yet it has turned out to be a long protracted process. As discussed earlier in the evening, he said other Sunshine committees also have to tighten the process. Giving departments ample time and opportunity and using all of the city's resources including the City attorneys to look for an excuse not to comply is wrong, he said

Adjournment: The meeting was adjourned at 7:00 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

City Hall
Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, March 11, 2008
4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Kristin Chu, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of February 12, 2008. (action item) (attachment)

2. 08011 Determination of jurisdiction of complaint filed by David Waggoner against the Ethics Commission for alleged failure to provide the requested records of the Tony Hall investigation. (action item) (attachment)

3. Discussion regarding revisions to the Complaint Committee Mission Statement, Workplan and Procedures. (discussion and possible action item) (attachment)

4. Administrator's Report. (attachment)

5. Public comment for items not listed on the agenda. (no action) (no attachment)

6. Announcements, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting April 8, 2008**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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	Other parties of Complainant presents facts & evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking time for Complainant and City to be the same

3.	Complainant presents rebuttal	3 minutes
4.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each

5. Matter is with the Task Force for discussion and deliberation
6. Vote by Task Force

Note: Time must be adhered to
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March 11, 2008

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, March 11, 2008
4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Kristin Chu; Nicholas Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Cauthen, Chu, Goldman

Agenda Changes: None

Deputy City Attorney: Lynne Lincoln

Administrator Frank Darby

Clerk Chris Rustom

1 Approval of minutes of February 12, 2008

Speakers: None

Motion approving minutes of February 12, 2008 (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

2 08011 Determination of jurisdiction of complaint filed by David Waggoner against the Ethics Commission for alleged failure to provide the requested records of the City Hall surveillance

Richard Moe, Ethics Commission Director of Investigations, said the Task Force does not have jurisdiction because state code 6254 (b) prevents the Ethics Commission from [illegible] documents involving an active investigation. Mr. Waggoner, he added, may only receive certain documents during the discovery phase because some papers are not subject to [illegible] Waggoner, Complainant, arrived during Mr. Moe's testimony and said the he agreed with the City Attorney's jurisdictional letter and urged the committee to find that this is a jurisdiction

Motion recommending jurisdiction (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

3 Discussion regarding revisions to the Complaint Committee Mission Statement, Workplan and Procedures

The Committee briefly discussed proposed changes to the Complaint Procedures and the Administrator recorded recommended amendments

Chair Cauthen asked the Administrator to agendize the recommended amendments to the Complaint Procedures for the next full Task Force meeting. The Committee will [illegible] Mission Statement and Workplan at its April meeting

4 Administrator's Report

The Administrator made the report

5 Public comment for items not listed on the agenda

Public Comment: None

6 Announcements, questions, and future agenda items from Committee members

Speakers: None

Adjournment The meeting adjourned at 4:30 p.m.

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

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Tuesday, April 8, 2008
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of March 11, 2008. (action) (attachment)

2. Discussion re revisions to the Complaint Committee's Mission Statement and Workplan. (discussion and possible action)(attachment)

3. Administrator's Report. (attachment)

4. Public comment for items not listed on the agenda.
(no action) (no attachment)

5. Announcements, questions, and future agenda items from Committee members.
(no attachment)

Adjournment **Next Regular Meeting May 13, 2008**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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3.	Complainant presents rebuttal	3 minutes
4.	Matter is with the Task Force for discussion and deliberation	
5.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
6.	Vote by Task Force	

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SUNSHINE ORDINANCE TASK FORCE
DRAFT COMPLAINT COMMITTEE

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5/13/08

Tuesday, May 13, 2008
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of April 8, 2008. (action) (attachment)

2. Discussion re revisions to the Complaint Committee's Mission Statement, procedures and bylaws. (discussion and possible action)(attachment)

3. Administrator's Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting June 10, 2008**

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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5.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
6.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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May 13

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, May 13, 2008
4:00 p.m., City Hall, Room 406

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Committee Members: Sue Cauthen, Chair; Kristin Chu; Nicholas Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Cauthen, Chu, Goldman

Agenda Changes: None

Deputy City Attorney: Erin Lorente

Clerk: Chris Rustom

1 Approval of minutes of April 8 2008

Speakers None

Motion approving minutes of April 8 2008 (Goldman / Chu)

Ayes Cauthen, Chu, Goldman

2 Discussion on revisions to Complaint Procedure and Work Plan

Chair Cauthen said the meeting was to discuss how to conform the Work Plan to the Complaint Procedure She suggested rewording item 4 of the Work Plan [illegible] Procedure. Members Goldman and Chu as well as DCA Erine Lorente noted that Task Force members had indicated during their April 22 2008 meeting that they would [illegible] removed entirely Member Goldman made the motion after further discussion

Motion to remove item 4 from Work Plan, renumber the document and remove proposed language in Complaint Procedure (Goldman/Chu)

Ayes Cauthen, Chu, Goldman

3 Administrator's Report

Clerk made the report

Chair Cauthen inquired and was told there will be two new cases before the Task Force when it meets on May 27, 2008 She was also told that an additional complaint was being mediated [illegible] mediation was most likely to fail

4 Public comment for items not listed on the agenda

Public Comment None

5 Announcements, questions, and future agenda items from Committee members

Chair Cauthen, after conferring with other committee members, announced that there would not be a Complaint Committee meeting next month unless an alleged violation [illegible]

Speakers None

Adjournment The meeting adjourned at 4:30 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

7/16/2010 4:43 P

Sunshine Ordinance Task Force

City Hall
Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

http://www.sfgov.org/sunshine/

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE

SF
S88.3
#1
6/10/08

Tuesday, June 10, 2008
4:00 p.m., City Hall, Room 406

Committee Members: Sue Cauthen, Chair; Kristin Chu, Nicholas Goldman

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to maké presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of May 13, 2008. (action) (attachment)

2. 08024 Determination of jurisdiction of complaint filed by Michael Addario against the San Francisco Arts Commission for alleged violation of meeting rules. (action item) (attachment)

3. Administrator's Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting July 8, 2008**

DOCUMENTS DEPT

JUN - 5 2008

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THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. *(Section 67.16)*

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	(Above total speaking times for Complainant and City to be the same.)	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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June 10

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, June 10, 2008
4:00 p.m., City Hall, Room 406

GOVERNMENT DOCUMENTS DEPT

JUL 19 2010

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Committee Members: Sue Cauthen, chair; Kristin Chu, Nicholas Goldman

Call to Order: 4:00 p.m.

Roll Call: Present Cauthen, Chu, Goldman

Agenda Changes: None

Deputy City Attorney: Rosa Sanchez

Clerk Chris Rustom

1 Approval of minutes of May 6, 2008

Speakers: None

Motion approving minutes of May 6, 2008 (Goldman / Chu)

Ayes: Cauthen, Chu, Goldman

2 Complaint filed by Michael Addario against the San Francisco Arts Commission for alleged violation of meeting rules

Mr. Addario, complainant, said the Arts Commission did not consult the Street Artists Program Committee about changing its meetings from monthly to bimonthly. The San Francisco Arts Commission fully fund the City program. He also said a web site for the program was created free of charge, but the person later wanted payment for her services. Without members knowledge or vote, the web site creator was paid a $500 honorarium taken from the membership's funds. Later, when commissioners agreed to pay for a new web site, members were not told of its purpose - [illegible] and there was no mention of a competitive bidding process.

Mr. Howard Lazar, director of the Street Artists program, said the complaint is without merit because the Arts Commission has discretion to discuss and take action on committee meeting [illegible]. He also said all postings, discussions and actions related to the case met Sunshine Ordinance requirements as they were clearly noticed on the Arts Commission agenda. [illegible] provision in the Sunshine Ordinance which requires an agency to hear a matter concerning committee meeting schedules or any other item of business at an advisory committee level before presenting the matter to the full commission for consideration and action.

Chair Cauthen said even if Mr. Addario's complaint is without merit, the fact that an allegation is made about a section of the Sunshine Ordinance does give the Task Force de facto jurisdiction.

In rebuttal, Mr Addario said agenda and agenda changes were always placed on the Street Artists' web site whereas the meeting change was placed on the Arts Commission web site.

Public Comment: None

Motion to find jurisdiction

Ayes: Cauthen, Chu, Goldman

3 Administrator's Report

Clerk made the report

4 Public comment for items not listed on the agenda

Public Comment: None

5 Announcements, questions, and future agenda items from Committee members

No announcements

Speakers: None

Adjournment The meeting adjourned at 4:25 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

August 12, 2008

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, August 12, 2008
4:00 p.m., City Hall, Room 406

Committee Members: Nick Goldman (chair), Ketaki Gokhale, James Knoebber

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order

Roll Call

Agenda Changes

1.		Approval of minutes of June 10, 2008. (action) (attachment)
2.	08030	Determination of jurisdiction of complaint filed by Kimo Crossman against the Clerk of the Board and the SOTF Administrator on the department's new redaction policy. (action item) (attachment)
3.	08036	Determination of jurisdiction of complaint filed by Juan De Anza against the Department of Public Health for allegedly denying records and other allegations. (action item) (attachment)
4.		Administrator's Report. (attachment)
5.		Public comment for items not listed on the agenda. (no action) (no attachment)
6.		Announcements, questions, and future agenda items from Committee members. (no attachment)

Adjournment Next Regular Meeting September 9, 2008

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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	Other parties of Complainant present facts and evidence.	Up to 3 minutes each	
2.	City responds	5 minutes	
	Other parties of City respond	Up to 3 minutes each	
	(*Above total speaking times for Complainant and City to be the same.*)		
3.	Matter is with the Task Force for discussion and questions.		
4.	Respondent and Complainant presents clarification/rebuttal		3 minutes
5.	Matter is with the Task Force for motion and deliberation.		
6.	Public comment *(Excluding Complainant & City response, witnesses)*		Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*		

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August 12, 2008

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, August 12, 2008
4:00 p.m., City Hall, Room 406

GOVERNMENT DOCUMENTS DEPT

JUL 19 2010

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Committee Members: Nick Goldman (chair); Keiaki Gokhale, James Knoebber

Call to Order: 4:03 p.m.

Roll Call: Present: Goldman, Gokhale

Absent James Knoebber

Agenda Changes: None

Deputy City Attorney: Ernest Llorente

Administrator Frank Darby

Agenda Changes

The Administrator informed Chair Goldman that item #2 was withdrawn by the complainant

1 Approval of minutes of June 10, 2008

Speakers None

Motion approving minutes of June 10, 2008 (Gokhale / Goldman)

Ayes Goldman, Gokhale

Absent Knoebber

2 08030 Determination of jurisdiction of complaint filed by Kimo Crossman against the Clerk of the Board and the SOTF Administrator on the department's new redacted policy.

Complaint withdrawn prior to the meeting

3 08036 Determination of jurisdiction of complaint filed by Juan De Anza against the Department of Public Health for allegedly denying records and other allegations

Speakers None

Motion finding no jurisdiction (Gokhale / Goldman)

Ayes Goldman, Gokhale

Absent Knoebber

Chair Goldman asked the Administrator to convey to Mr De Anza that the reason for their finding is because his complaint is too vague to find jurisdiction and that he may refile his complaint on or after August 26, 2008, meeting of the Task Force, or file a new complaint

4 Administrator's Report

The Administrator made the report

5 Public comment for items not listed on the agenda

Public Comment Doyle Johnson introduced himself as an applicant for seat 7 He said that he has three years experience in Consumer Advocacy and [illegible] he said that Supervisor Daly recommended that his attend meetings of the Task Force to get familiar with their procedures

Member Goldman welcomed Mr Johnson and explained the purpose of the Complaint Committee

DCA Llorente urged Mr Johnson to attend tomorrow's Compliance and Amendments Committee (CAC) meeting to gain additional knowledge about the Task Force

Mr. Johnson indicated that he plans to attend tomorrow's CAC meeting

6 Announcements, questions, and future agenda items from Committee members

No announcements

Speakers None

Adjournment The meeting adjourned at 4:18 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

7/16/2010 4:43 PM

Sunshine Ordinance Task Force

City Hall
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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, September 9, 2008
4:00 p.m., City Hall, Room 406

Committee Members: Nick Goldman (chair); James Knoebber

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of August 12, 2008. (action) (attachment)

2. 08033 Determination of jurisdiction of complaint filed by Charles Pitts against the Human Services Department for not providing information in a timely manner, withholding documents. (action item) (attachment)

3. 08040 Determination of jurisdiction of complaint filed by Eula Walters against the Recreation and Parks Commission for withholding documents. (action item) (attachment)

4. 08042 Determination of jurisdiction of complaint filed by Kimo Crossman against SFGTV, Media Services and COB. (action item) (attachment)

5. Administrator's Report. (attachment)

6. Public comment for items not listed on the agenda. (no action) (no attachment)

7. Announcements, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting October 14, 2008**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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September 9, 2008

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, September 9, 2008
4:00 p.m., City Hall, Room 406

GOVERNMENT DOCUMENTS DEPT

JUL 19 2010

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Committee Members: Nick Goldman (Chair), James Knoebber

Call to Order 4:00 p.m.

Roll Call: Present Goldman, Knoebber

Absent None

Agenda Changes: None

Deputy City Attorney: Ernest Llorente

Clerk Chris Rustom

1 — Approval of minutes of August 12, 2008

Motion approving minutes of August 12, 2008 (Knoebber / Goldman)

Public Comment None

On the motion

Ayes Goldman, Knoebber

2 — 08033 — Determination of jurisdiction of complaint filed by Charles Pitts against the Human Services Department

Speakers Charles Pitts said he had requested copies of two contracts from the Dept of Human Services but did not receive timely. He said he called the department every [illegible] of the request. He also noted that the department representative was not present

Department representative not present

DCA Llorente noted that the department's position was expressed in a letter included in the packet

Chair Goldman said the committee could find jurisdiction based on the facts presented by Mr Pitts

Motion to find jurisdiction (Knoebber / Goldman)

Public Comment None

On the motion.

Ayes Goldman, Knoebber

A department representative was recognized after Item 4 was heard and invited to give the department's response. Pamela Tebo, the representative, said [illegible] a letter to Mr Pitts the day she received the request. She added that Mr Pitts also failed to collect the documents but filed a Sunshine complaint. Chair Goldman said [illegible] jurisdiction and instructed her to present her case to the Task Force

3 — 08040 — Determination of jurisdiction of complaint filed by Eula Walters against the Recreation and Parks Commission for allegedly withholding documents

Speakers Eula Walters introduced herself and said she felt mistreated at a Rec & Park Commission meeting because of favoritism shown to Ms Weiss. She said she [illegible] defense because she does not receive the commission's meeting agenda on time. Also, the commission and her opponent refused to reveal data [illegible]

Department representative not present

Chair Goldman said the committee could find jurisdiction based on the facts presented by Ms Walters

Motion to find jurisdiction (Knoebber / Goldman)

Public Comment None

On the motion

Ayes Goldman, Knoebber

4 — 08042 — Determination of jurisdiction of complaint filed by Kimo Crossman against SFGTV, Media Services and COB

Speakers Kimo Crossman wanted the Board of Supervisors to be added to his complaint list. He said the Ordinance mandated that the City [illegible] said Task Force Member Erica Craven explained the Ordinance's requirements at a recent TF meeting, but the City had yet to follow the law. [illegible] inquire who gave the SOTF administrator the authority to challenge jurisdiction

Respondent Jack Chin from DTIS said the department supports the Ordinance but lacks funds to implement it. A purchase order was issued [illegible] ended the exercise. Rohan Lane of Media Services said his office would like to provide the service but it was not feasible because of a lack of staff [illegible] the Board, said he was contesting jurisdiction because it was a policy matter and the Task Force does not have the authority to allocate funding to implement the Ordinance

In rebuttal, Mr. Crossman said jurisdiction should be found because the departments are in violation of Sections 67.26, 67.30, 67.34 and an ordinance [illegible]

DCA Llorente recommended jurisdiction because the issue involved the same parties in a complaint heard recently by the Task Force

Chair Goldman said although he understood that nothing could be done without money the complaint should move forward and let the Task Force decide [illegible]

Motion to find jurisdiction (Knoebber / Goldman)

Public Comment None

On the motion

Ayes Goldman, Knoebber

5 — Administrator's Report

The Administrator made the report

Public Comment None

6 — Public comment for items not listed on the agenda

Public Comment None

7 — Announcements, questions, and future agenda items from Committee members

Speakers None

Public Comment None

Adjournment The meeting adjourned at 4:23 p.m.

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA
Tuesday, October 14, 2008
4:00 p.m., City Hall, Room 406

DOCUMENTS DEPT.
OCT 14 2008
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Committee Members: Nick Goldman, (Chair), James Knoebber, Doyle Johnson

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of September 9, 2008. (action) (attachment)

2. 08045 Determination of jurisdiction on complaint filed by Barry Taranto against the Municipal Transportation Authority for failure to provide an equal amount of speaking time during a public comment session. (action item)

3. 08046 Determination of jurisdiction of complaint filed by Karl Beal against the Recreation and Park Department and the Public Library for incomplete meeting information. (action item)

4. 08049 Determination of jurisdiction of complaint filed by John Caldera against the Veterans Affairs Commission for alleged failure to provide requested records. (action item)

5. Discussion on moving up Complaint Committee meeting time from 4 p.m. to 3:30 p.m. the same day.(action item)

6. Administrator's Report. (attachment)

7. Public comment for items not listed on the agenda. (no action) (no attachment)

8. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting November 11, 2008**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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October 14, 2008

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, October 14, 2008
4:00 p.m., City Hall, Room 406

GOVERNMENT
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Committee Members: Nick Goldman (Chair), James Knoebber, Doyle Johnson

Call to Order 4:02 p.m.

Roll Call: Present Goldman, Johnson

Absent Knoebber

Agenda Changes None

Deputy City Attorney Ernest Llorente

Clerk Chris Rustom

1 Approval of minutes of September 9, 2008

Motion approving minutes of September 9, 2008 (Johnson / Goldman)

Public Comment None

On the motion

Ayes Goldman, Johnson

Absent Knoebber

2 08045 Determination of jurisdiction on complaint filed by Barry Taranto against the Municipal Transportation Authority for failure to provide an equal amount of [illegible] session.

Complainant was not present

Respondent Roberta Boomer of the MTA said the violation occurred and the department had taken steps to be able to avoid such an occurrence in the future.

Case was tabled to the end of the meeting in case the complainant arrived late

The case was continued to the next meeting

3 08046 Determination of jurisdiction of complaint filed by Karl Beal against the Recreation and Park Department and the Public Library for incomplete meeting information

Complainant Karl Beal said he was a resident of the North Beach area and had filed a two-part complaint. The first was against the Library and the Rec & Park Department [illegible] adequate information on the North Beach Master Plan, which included the closure of Mason Street if the closure was properly disclosed, he said. The meetings [illegible] because the closure would create problems in the neighborhood. His second complaint was against the Rec & Park Department for not posting additional information [illegible] was withdrawing the second complaint because the jurisdictional letter from the City Attorney's Office mentioned that the department was not obligated to post additional information [illegible] not a policy body.

Respondents, **DAVID CHEN (REC)** Not the Rec & Park Department and Sue Blackman of the Library Commission appeared before the committee. Ms. **DAVID CHEN (REC)** said [illegible] have jurisdiction over the complaint as stated in a letter sent to the committee. But, she added, the meetings were well attended and that was proof that area residents knew about [illegible] their neighborhood. The Library as well as the Rec & Park Department followed all Brown Act and Sunshine laws when posting the notices, she said. Sue Blackman said the meeting [illegible] about the closure of Mason Street but a discussion on options available in making full use of the property in building the branch library. Ms Rischman also said [illegible]

In rebuttal, Mr Beal said a letter written by Rec & Park Department Director Yoni Aguirre-de mentioned that the two departments saw the closure of Mason Street as [illegible] plan. If the closure was being considered, it should be brought to the public's attention, he said.

Julienne Christensen said she was a resident of North Beach and had been involved in the project for close to 10 years. Joe DiMaggio Playground [illegible] Beach. The city by eminent domain had taken over a triangular shaped parking lot that was separated by Mason Street. The project was unusual because it [illegible] and the renovation of the playground. When Rec and Park buys a plot of land close a park the issue of what happens to the street becomes an issue, she said. The [illegible] not to focus on the street but what happened was the issue came up and became an important part of the discussions that it had to be mentioned the successful [illegible] department and Rec & Part took care of the noticing. She said every neighborhood organization was informed and that she also wrote articles about the playground [illegible] publications. The result of the meeting was not to Mr Beal's liking but the process was not flawed, she said

Motion to find jurisdiction (Johnson / Goldman)

Public Comment None

On the motion

Ayes Goldman, Johnson

Absent Knoebber

4 08049 Determination of jurisdiction of complaint filed by John Caldera against the Veterans Affairs Commission for alleged failure to provide requested records

Complainant John Caldera said he was a first generation Latino-American, born in California and a 22-year resident of San Francisco. He was also an executive [illegible] Chapter 69, Post 315 of the American Legion and member of the Veterans Affairs Commission. He said the commission needs oversight as this violation [illegible] had held control of the commission for a length of time and has never held public meetings on issues affecting veterans such as counting the population of homeless veterans [illegible] issues behind high suicide rates among veterans and has never appointed open lesbians and Latinas to the commission.

Respondent Wallace Levin said the commission is only an advisory body to the Mayor and Board of Supervisors and during its 25-year history it has never [illegible] county of San Francisco or any other source. Because the commission does not have a budget, it does not have any money to dispense and does not have any [illegible] he has explained the situation to Commissioner Caldera many times at commission meetings. The Controller, he said, has also checked the budget and has [illegible] receive funding. Commissioner Caldera could have also checked the budget personally while working in Supervisor Mirkarimi's office, he added.

In rebuttal, Commissioner Caldera said he did not work for the supervisor but volunteered occasionally. He said Commissioner Rene Champagne said in December [illegible] spent all but $45.00. Commissioner Caldera said Commissioner Levine had announced on Memorial Day at the Presidio that the commission had received $15,000 [illegible] private funding. He said he wants to know how monies from the Grants of the Arts was being spent on events such as the Veterans Day Parade and the Memorial Day [illegible] how the money was being funneled to the commission.

Public Comment Robert Barney, aide to the Secretary of the Army and vice-president of the commission said the city of San Francisco owes [illegible] a gratitude of thanks. The two volunteer to organize and conduct for the Mayor of the City the Memorial Day program and Veterans Day Parade. Although they may not be [illegible] commission on event updates, they don't do it as members of the commission because it is not within the jurisdiction of the commission. And, he said [illegible] Caldera's question within the commission

Chair Goldman noted that if a record does not exist it could not be produced and a department does not have to create a record if one does not exist

OCA Llorente suggested the complainant ask Mr Levine or Mr Champagne to refer him to the agency that did the funding

No action taken (Goldman / Johnson)

Public Comment None

On the motion

Ayes Goldman Johnson

Absent Knoebber

5 Discussion on moving up Complaint Committee meeting time from 4 p.m. to 3:30 p.m. the same day

Members said they had no issues with the new time and agreed to the change

Motion to change Complaint Committee meeting time from 4:00 p.m. on the second Tuesday of every month to 3:30 p.m. on the second Tuesday of every month ([illegible])

Public Comment None

On the motion

7/16/2010 4:44

Ayes: Chairman [illegible]

Absent: [illegible]

Administrative Report:

The Administrator made the report.

Public Comment: None

Public comment for items not listed on the agenda:

Public Comment: None

Announcements, questions, and future agenda items from Committee members:

Speakers: None

Public Comment: None

Adjournment: The meeting adjourned at 4:33 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Inbox (Messages)

Items 1 to 2 of 2

New Help Log Off

November 11, 2008 Complaint and CAC meetings
SOTF [sotf@sfgov.org]
To:
Cc:

The November 11, 2008, Complaint and CAC meetings are cancelled..

Chris Rustom
Asst. Administrator
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
OFC: (415) 554-7724
FAX: (415) 554-7854
SOTF@sfgov.org

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
SPECIAL MEETING AGENDA
Wednesday, November 12, 2008
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman, (Chair), James Knoebber, Doyle Johnson

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of October 14, 2008. (action) (attachment)

2. 08045 Determination of jurisdiction on complaint filed by Barry Taranto against the Municipal Transportation Authority for failure to provide an equal amount of speaking time during a public comment session. (action item)

3. Administrator's Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regular Meeting: December 9, 2008**

11-10-08A11:48 RCVD

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THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be made a part of the official public record. (*Section 67.7-1 (c)*)

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	(Above total speaking times for Complainant and City to be the same.)	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, December 9, 2008
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman, (Chair), James Knoebber, Doyle Johnson

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of November 12, 2008, special meeting. (action) (attachment)

2. 08051 Determination of jurisdiction and pre-hearing conference on complaint filed by Paul Horcher against the Planning Department for wrongful withholding of non-exempt file. (action item) (attachment)

3. 08052 Determination of jurisdiction and pre-hearing conference on complaint filed by Mr. Alvin against the Arts Commission for not releasing requested information. (action item) (attachment)

4. Administrator's Report. (attachment)

5. Public comment for items not listed on the agenda. (no action) (no attachment)

6. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next Regularly Scheduled Meeting: January 13, 2009**

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THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
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December 9, 2008

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, December 9, 2008
3:30 p.m., City Hall, Room 406

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Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Call to Order 3:32 p.m.

Roll Call: Present: Goldman, Johnson, Knoebber

Agenda Changes None

Deputy City Attorney Ernest Llorente

Clerk Chris Rustom

1 Approval of minutes of November 12, 2008

Motion approving minutes of November 12, 2008 (Johnson / Knoebber)

Public Comment None

On the motion

Ayes Goldman, Johnson, Knoebber

2 08051 Determination of jurisdiction and pre-hearing conference on complaint filed by Paul Horcher against the Planning Department for wrongful withholding of [illegible] file

Complainant Paul Horcher said he asked to see all relevant documents related to an address on Geary Street in July. He was given access to the file but noted that [illegible] were the complaints. He noticed that because three years ago the same parties were involved in the same procedure over the same issues. Public testimony was given, [illegible] documentation in the file to support it. He said he went back to the Planning Department in November and found the file to be still lacking.

Respondent Rachna Rachna of the Planning Department said she is the enforcement planner in the case. She said Mr. Horcher came to the department on July 23, [illegible] planning enforcement file as it existed at the time. The file did not have the complaints from the neighbors at the time but was placed in the [illegible] on November 10, 2008. On the number of files, she said the second file did not exist at the time Mr. Horcher visited the department in July, [illegible] in support of his appeal. She also said that the volume of the file had increased over a four-month period that started in July.

Motion to find jurisdiction (Knoebber / Johnson)

Public Comment None

On the motion

Ayes Johnson, Knoebber, Goldman

3 08052 Determination of jurisdiction and pre-hearing conference on complaint filed by Mr. Alvin against the Arts Commission for not releasing requested information

Complainant Mr. Alvin said an information request was made to Lisa Cancel of the Arts Commission and he did not respond. Mr. Alvin then made a second request [illegible] Alvin said he wanted to know the formula used in allocating tax money to arts groups. The commission said in response that they do not have a formula. [illegible] information he received from the Controller's Office. He insisted the existence of a complex formula. The office, he also said did not dispute him [illegible] the commission. He said he's making the assertion that it is not coincidental that when he walks into an arts group he sees only one black male.

Motion to find jurisdiction (Johnson / Knoebber)

Public Comment None

On the motion

Ayes Johnson, Knoebber, Goldman,

4 Administrator's Report.

Mr. Rustom made the report

5 Public comment for items not listed on the agenda

Public Comment None

6 Announcements, comments, questions, and future agenda items from Committee members

None

Adjournment The meeting adjourned at 3:55 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, January 13, 2008
3:30 p.m., City Hall, Room 406

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Committee Members: Nick Goldman, (Chair), Doyle Johnson, James Knoebber

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Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of December 9, 2008, regular meeting. (action) (attachment)

2. 08053 Determination of jurisdiction on complaint filed by Peter Witt against the Taxi Commission for failing to include public comment in the minutes, failing to correct the minutes, failing to grant requests for information and failing to disseminate or retain public correspondence from the public, intended for PC&N use. (action item) (attachment)

3. 08054 Determination of jurisdiction on complaint filed by Anonymous Tenants against the Building Inspection Department for failure to provide the complainant with a copy of a permit application. (action item) (attachment)

4. Administrator's Report. (attachment)

5. Public comment for items not listed on the agenda. (no action) (no attachment)

6. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next regularly scheduled meeting: February 10, 2009**

[redacted]

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
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January 13, 2009

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
DRAFT MINUTES
Tuesday, January 13, 2009
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Call to Order: 3:30 p.m

Roll Call: Present: Goldman, Knoebber

Excused: Johnson

Agenda Changes: None

Deputy City Attorney: Ernest Llorente

Clerk Chris Rustom

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1 Approval of minutes of December 9, 2008, regular meeting

Motion approving minutes of November 12 2008 (Knoebber / Goldman)

Public Comment None

On the motion

Ayes Goldman, Knoebber

Excused Johnson

2 08051 Determination of jurisdiction on complaint filed by Peter Witt against the Taxi Commission for failing to include public comment in the minutes, failing to [illegible] information and failing to disseminate or retain public correspondence from the public, intended for PC&N use

Motion to find jurisdiction (Knoebber / Goldman)

Public Comment None

On the motion

Ayes Goldman, Knoebber

Excused Johnson

3 08052 Determination of jurisdiction on complaint filed by Anonymous Tenants against the Building Inspection Department for failure to provide the complainant with a copy of a permit application

Complaint Anonymous said he requested a one-page document in pdf format and has not received it The building department refuses to provide it, he said

Public Comment Ray Hartz said the worrisome issues in this case was that the department needed a two-day period to produce a document and a minimum [illegible] for the [illegible] requirements, he said, go against the Sunshine Ordinance

Motion to find jurisdiction (Knoebber / Goldman)

On the motion

Ayes Goldman, Knoebber

Excused Johnson

4 Administrator's Report,

Mr Rustom made the report

5 Public comment for items not listed on the agenda

Public Comment None

6 Announcements, comments, questions, and future agenda items from Committee members

None

Adjournment The meeting adjourned at 3:36 p.m.

This meeting has been audio recorded and is on filein the office of the Sunshine Ordinance Task Force

7 16 2010 4:45 PM

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, February 10, 2009
4:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman, (Chair), Doyle Johnson, James Knoebber

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Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of January 13, 2008, regular meeting. (action) (attachment)

2. 09001 Determination of jurisdiction on complaint filed by Anonymous against the City Attorney's Office and DCA Matt Dorsey for incomplete responses, non-responsive information and failure to comply on a timely basis. (action item) (attachment)

3. Precluding Matters or Complaints not covered by the Sunshine Ordinance (action item) (no attachment)

4. Administrator's Report. (attachment)

5. Public comment for items not listed on the agenda. (no action) (no attachment)

6. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next regularly scheduled meeting:** March 10, 2009

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THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	(Above total speaking times for Complainant and City to be the same.)	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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February 10, 2009

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, February 10, 2009
4:30 p.m., City Hall, Room 406

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Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Call to Order 4:30 p.m.

Roll Call: Present: Goldman, Johnson, Knoebber,

Agenda Changes None

Deputy City Attorney Rosa Sanchez

Clerk Chris Rustom

1 Approval of minutes of January 13, 2009, regular meeting

Motion approving minutes of January 13, 2009 (Knoebber / Johnson)

Public Comment None

On the motion

Ayes Johnson, Knoebber, Goldman

2 09001 **Determination of jurisdiction on complaint filed by Anonymous against the City Attorney's Office and PIO Matt Dorsey for incomplete responses.** [illegible] timely basis

Complainant Anonymous said the case was about an IDR he made regarding DCA Erme Llorente. He also submitted a document that outlined the utility range and resume [illegible] a Mailing [illegible] position, which he said, was held by Mr. Dorsey. If Mr. Dorsey, he said, possessed the skills listed in the document he would be knowledgeable about the Sunshine Ordinance and [illegible] to this case. He said the IDR was worded similarly to the two that he had sent to the CAO in 2007. He wanted to know why his latest request could not be treated promptly like the previous [illegible] He also said the law allows him to remain anonymous if he so wished.

Respondent DCA Paul Zarefsky of the CAO said a complainant needs to tell the department what it had done wrong. Documents provided by the complainant did not contain [illegible] wondered why the complainant wished to remain anonymous at a public meeting on open government.

Motion to find jurisdiction (Knoebber / Johnson)

In rebuttal, Anonymous said the Ordinance allows a person to remain anonymous. On the complaint, he said, the respondent needs to look at the two letters to see what was [illegible] not see the deficiency, he said Mr. Dorsey was either incompetent or had something else on his agenda.

Mr. Zarefsky said he does not believe there was a general right to remain anonymous.

Public Comment Kimo Crossman said there is a provision in the federal constitutional for anonymous free speech. Remaining anonymous also prevents a department from [illegible] complainant because the opportunity for retribution was always present. He said Mr. Hartz needs to provide the name of the document he wants if he wishes to win the case.

On the motion

Ayes Johnson, Knoebber, Goldman

3 **Precluding Matters or Complaints not covered by the Sunshine Ordinance**

Chair Goldman said a procedure needs to be in place if a complaint is not covered by the Ordinance. The committee agreed to advise the Task Force that it reviews questionable [illegible] provide a formal response to the complainant if the Ordinance was not applicable.

Motion to forward questionable complaints to Complaint Committee for jurisdiction (Knoebber / Johnson)

Public Comment Kimo Crossman said the administrator should not be allowed to dismiss complaints. It should always be presented to the Task Force and many times a lot of information [illegible] at the hearings, he said.

On the motion

Ayes Johnson, Knoebber, Goldman

4 **Administrator's Report**

Mr. Rustom made the report

Public Comment None

5 **Public comment for items not listed on the agenda**

Public Comment Ray Hartz said certain agencies were forthcoming with information and some were not. Respondents should be barred from saying that they [illegible] law because they have signed an ethics document that says they know the law.

6 **Announcements, comments, questions, and future agenda items from Committee members**

None

AdjournmentThe meeting adjourned at 4:56 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, March 10, 2009
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman, (Chair), Doyle Johnson, James Knoebber

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of February 10, 2009, regular meeting. (action) (attachment)

2. 09003 Determination of jurisdiction on complaint filed by Rita O'Flynn against the Department of Technology for not providing copies of emails (action item) (attachment)

3. 09007 Determination of jurisdiction on complaint filed by David Larkin against the Department of Public Works for reports on investigation. (action item) (attachment)

4. 09009 Determination of jurisdiction on complaint filed by Charles Pitts against the Health Department for not providing information and identifying the person who finally provided the response. (action item) (attachment)

5. Administrator's Report. (attachment)

6. Public comment for items not listed on the agenda. (no action) (no attachment)

7. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment

Next regularly scheduled meeting: April 14, 2009

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SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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March 10, 2009

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, March 10, 2009
4:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Call to Order: 4:30 p.m.

Roll Call: Present: Goldman, Johnson, Knoebber,

Agenda Changes: None

Deputy City Attorney: Ernie Llorente

Clerk: Chris Rustom

1 Approval of minutes of February 10, 2009, regular meeting

Motion approving minutes of February 10, 2009 (Knoebber / Johnson)

Public Comment: None

On the motion

Ayes: Knoebber, Johnson, Goldman

2 09003 Determination of jurisdiction on complaint filed by Rita O'Flynn against the Department of Technology for not providing copies of minutes.

Complainant and Respondent were not present.

Motion to find jurisdiction (Knoebber / Johnson)

Public Comment: None

On the motion

Ayes: Knoebber, Johnson, Goldman

3 09007 Determination of jurisdiction on complaint filed by David Larkin against the Department of Public Works for reports on an internal misconduct investigation.

Complainant David Larkin said the department does not have the right to withhold the information and that personnel and medical records aside the [illegible] be make public because of the need for transparency, he said. He also said that he was not told if the document had been vetted by the City Attorney's Office and contained privileged information.

Frank Lee, Custodian of Records for the Department of Public Works, said the department has responded to all 12 requests but did not release 3 [illegible] reports because it was concerned with the [illegible] records. The three documents, he said, were statements made by three employees in response to a complaint filed by Mr. Larkin.

Motion to find jurisdiction (Knoebber / Johnson)

Public Comment: None

On the motion

Ayes: Knoebber, Johnson, Goldman

4 09009 Determination of jurisdiction on complaint filed by Charles Pitts against the Health Department for not providing information and identifying the person who's responsible for the response.

Member Knoebber disclosed that he has worked with the the official named in the complaint but that relationship would not bias his judgement.

Complainant Charles Pitts said he asked the Health Department about the tenure of Quintin Mickle whose seat on the Shelter Monitoring Committee has expired. The response, he said, was unprofessional as it contained errors and the author was not identified. It also made references to documents that were not provided, he said.

The responding department was not present but had submitted a letter that said the department did [illegible]

Chair Goldman urged the complainant to be focused and clear when he presents his case to the Task Force and that included presenting what document did he specifically request and after [illegible]

Motion to find jurisdiction (Knoebber / Johnson)

Public Comment: None

On the motion

Ayes: Knoebber, Johnson, Goldman

5 Administrator's Report.

Mr. Rustom made the report

Public Comment: None

6 Public comment for items not listed on the agenda

Public Comment: None

7 Announcements, comments, questions, and future agenda items from Committee members

Public Comment: None

AdjournmentThe meeting adjourned at 4:42 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, April 14, 2009
3:30 p.m., City Hall, Room 406

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Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

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Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of March 10, 2009, regular meeting. (action) (attachment)

2. 09015 Determination of jurisdiction on complaint filed by Raymond Banks against the San Francisco HIV Health Services Planning Council for failure to provide contract information (action item) (attachment)

3. 09018 Determination of jurisdiction on complaint filed by Anonymous Tenants against the Building Inspection Department for charging $6.50 for a public record (action item) (attachment)

4. Administrator's Report. (attachment)

5. Public comment for items not listed on the agenda. (no action) (no attachment)

6. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next regularly scheduled meeting: May 12, 2009**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
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April 14, 2009

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, April 14, 2009
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber
Call to Order: 3:30 p.m.
Roll Call: Present: Goldman, Knoebber,
Absent: Johnson
Agenda Changes: Item 2 heard after Item 5
Deputy City Attorney: Ernie Lamont
Clerk: Chris Rustom

1. Approval of minutes of March 10, 2009, regular meeting
Motion approving minutes of March 10, 2009 (Knoebber / Goldman)
Public Comment None
On the motion
Ayes Knoebber, Goldman
Absent Johnson

2. 09015 Determination of jurisdiction on complaint filed by Raymond Banks against the San Francisco HIV Health Services Planning Council for failure to provide contract information
Complainant Raymond Banks said the Task Force has jurisdiction because his case falls under Sections 67.3 (c) (7) and 67.17
Respondent Mark Molnar, co-chair of the HIV Health Services Planning Council, said the person who is responsible for responding to Mr Banks' request was currently on disability leave and can not speak as to why it was not responded to in a timely fashion He said all documents were provided to Mr Banks when he as the respondent's supervisor, was made aware of the request
In rebuttal, Mr Banks added that the Task Force has jurisdiction because the program is under the purview of the mayor
DCA Llorente, on Member Knoebber's inquiry, said the committee may want to look into this further because some agencies are under the mayor but he does not have oversight responsibility
Michelle Long of the Health Department said the council has come before the Task Force in the past and has found that certain actions by the council were under the purview of the body and others were not
Motion to find jurisdiction (Knoebber / Goldman)
Public Comment None
On the motion
Ayes Knoebber, Goldman
Absent Johnson

3. 09018 Determination of jurisdiction on complaint filed by Anonymous Tenants against the Building Inspection Department for charging $6 50 for a public record
Complainant Anonymous Tenants said this is a new case against the department and was not connected to any of his previous complaints He added that the Deputy City Attorney had said in the jurisdictional letter that the Task Force had jurisdiction
Responding agency was not represented
Motion to find jurisdiction (Knoebber / Goldman)
Public Comment None
On the motion
Ayes Knoebber Goldman
Absent Johnson

4. Administrator's Report
Mr Rustom made the report
Public Comment None

5. Public comment for items not listed on the agenda
Public Comment Thomas Pecarello said the Task Force should look into the recent trip to Washington, DC, by six members of the Board of Supervisors The trip, he said, involved meetings for which no agenda was provided as required by the Sunshine Ordinance

6. Announcements, comments, questions, and future agenda items from Committee members
Public Comment None

AdjournmentThe meeting adjourned at 3:40 p.m.

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, May 12, 2009
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

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Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of April 14, 2009, regular meeting. (action) (attachment)

2. 09020 Determination of jurisdiction on complaint filed by Anonymous against the MTA for failure to provide meeting information and making online access difficult. (action item) (attachment)

3. Administrator's Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment

Next regularly scheduled meeting: June, 9, 2009

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SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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May 12, 2009

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES

Tuesday, May 12, 2009

3:30 p.m., City Hall, Room 406

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Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Call to Order: 3:30 p.m.

Roll Call: Present: Knoebber, Johnson

Excused: Goldman

Agenda Changes: None

Deputy City Attorney: Ernie Llorente

Clerk Chris Rustom

1. Approval of minutes of April 14, 2009, regular meeting.

   Motion approving minutes of March 10, 2009. (Johnson / Knoebber)

   Public Comment. None

   On the motion:

   Ayes: Johnson Knoebber

   Excused: Goldman

2. 09020 Determination of jurisdiction on complaint filed by Anonymous against the MTA for failure to provide meeting information and making online access difficult

   Complainant Barry Taranto said he is an advocate and an activist within the taxi industry and regularly attends MTA meetings when it meets on parking and traffic issues. He said that [illegible] difficult ever since the department took over the duties of the Parking and Traffic Commission, Parking and Traffic Department and the Taxi Commission. He said the records went to [illegible] get upset when it wasn't handed to him immediately. The agency also does not provide meeting information at the meeting site, he said. He also said the linkson the webpage [illegible]

   Respondent Roberta Boomer said she is the secretary for the SFMTA Board of Directors and Parking Authority Commission. She said the Task Force has jurisdiction over the matter and would [illegible] 2009. She added that all documents are available on line and also in a format available for the visually impaired.

   Motion to find jurisdiction. (Johnson / Knoebber)

   Public Comment: None

   On the motion

   Ayes: Johnson Knoebber

   Excused: Goldman

3. Administrator's Report

   Mr. Rustom made the report.

   Public Comment. None

4. Public comment for items not listed on the agenda

   Public Comment: None.

5. Announcements, comments, questions, and future agenda items from Committee members.

   Public Comment: None

Adjournment The meeting adjourned at 3:40 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force.

Sunshine Ordinance Task Force

City Hall
. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

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http://www.sfgov.org/sunshine/

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, June 9, 2009
3:30 p.m., City Hall, Room 406

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Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber
Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.
Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of May 12, 2009, regular meeting. (action) (attachment)

2. 09024 Determination of jurisdiction on complaint filed by Paul Weston against the Department of Human Services for withholding information. (action item) (attachment)

3. 09026 Determination of jurisdiction on complaint filed by Hanna Leung & Lydia Fong against the Department of Human Services for withholding information. (action item) (attachment)

4. 09027 Determination of jurisdiction on complaint filed by Alvin Xex against the Office of Economic and Workforce Development for withholding information. (action item) (attachment)

5. 09028 Determination of jurisdiction on complaint filed by Alvin Xex against the Department of Human Services for withholding information. (action item) (attachment)

6. Administrator's Report. (attachment)

7. Public comment for items not listed on the agenda. (no action) (no attachment)

8. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment

Next regularly scheduled meeting: July, 14, 2009

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	(Above total speaking times for Complainant and City to be the same.)	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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June 9, 2009

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MINUTES
Tuesday, June 9, 2009
3:30 p.m., City Hall, Room 406

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Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Call to Order: 3:30 p.m.

Roll Call: Present: Goldman, Knoebber, Johnson

Agenda Changes: None

Deputy City Attorney: Ernie Llorente
Clerk Chris Rustom

1. Approval of minutes of May 12, 2009, regular meeting.

   Motion approving minutes of March 10, 2009. (Knoebber / Johnson)

   Public Comment: None

   On the motion:
   Ayes: Johnson, Knoebber, Goldman

2. 09026 Determination of jurisdiction on complaint filed by Paul Weston against the Department of Human Services for withholding information.

   Complainant Paul Weston said the Jan deficional Letter was inaccurate and biased against him. He said the email exchanges he has submitted showed that Pamela Tebo did not respond to [illegible] Mar[illegible] he requested a Statement of Service and Invoice for MSC South and 150 Otis. When he went to pick up the two page document on May 13, he only received one. He only received the second [illegible] deadline passed. He said he had also asked for applications and resumes of employees of the St. Vincent de Paul Society. Pamela Tebo told him that she did not have access to personnel files. [illegible] corroborated Pamela Tebo's response in an email. He said Braun vs Taft showed that limited information in a personnel file is undisclosable.

   Respondent Diane Christensen said Mr. Weston made his request after 6 p.m. on May 10 and was given the document on the 12th. Mr. Weston on May 13 identified the missing [illegible] was provided. [illegible] the case be dismissed.

   Motion to find jurisdiction. (Knoebber / Johnson)

   Public Comment. Charles Pitts said the Task Force has jurisdiction based on DCA Llorente's letter to the Complaint Committee. He added that Admin Code Chapter 12L says that the [illegible] Services Department.

   On the motion:
   Ayes: Johnson, Knoebber, Goldman

3. 09025 Determination of jurisdiction on complaint filed by Hanna Leung & Lydia Fong against the Department of Human Services for withholding information

   Co-complainant Hanna Leung said she and Lydia Fong filed for an RFP with the Human Services Agency for Real Estate Services at the end of 2008 and were notified in March [illegible] which asked for the services, she said. They requested and received missing sheets after they made a Sunshine request to Dave Curtle of the Dept of Contracts. She then made an request by [illegible] provided. An email from Mr Curtle said the documents were not subject to production at the time because the contract had not been awarded. On June 8, 2009, she said she received [illegible] 2009. She said if that was the case she would like a new hearing date.

   Pamela Tebo of the Human Services said Mr Curtle had a conflict on his calendar but asked her to say that the department did not contest jurisdiction

   Motion to find jurisdiction. (Knoebber / Johnson)

   Public Comment: None.

   On the motion:
   Ayes: Johnson, Knoebber, Goldman

4. 09027 Determination of jurisdiction on complaint filed by Alvin Xer against the Office of Economic and Workforce Development for withholding information.

   Continued to July 14, 2009

5. 09028 Determination of jurisdiction on complaint filed by Alvin Xer against the Department of Human Services for withholding information

   Continued to July 14, 2009

6. Administrator's Report

   Mr. Rustom made the report.
   Public Comment: None

   Public comment for items not listed on the agenda.

   Public Comment: Rev. Hartz said the Sunshine Ordinance Task Force did not follow it's Re-Laws by sending the #08056 Ray Hartz v Police Department Complaint [illegible] Determination to the Education, Outreach and Training Committee rather than the Compliance and Amendments Committee. He said he was monitoring the committee [illegible] not know why. He wanted to know if he should go to the Ethics Commission and file a complaint against the Task Force. He also said he has made several inquiries through the [illegible]

   DCA Llorente provided an update on steps reached since the Orders were issued. He suggested that the concerns be voiced to the full Task Force on June 23.

8. Announcements, comments, questions, and future agenda items from Committee members.

   Member Knoebber made a request to be excused from the August 11, 2009, Complaint Committee meeting.

   DCA Llorente suggested and Chair Kruse agreed to wait till a few minutes past 4:00 p.m. to hear additional public comment because the website erroneously stated that the meeting would start at [illegible]

Adjournment The meeting adjourned at 4:02 p.m.

This meeting has been audio recorded and is on file in the Office of the Secretary to the Board of Supervisors.

Sunshine Ordinance Task Force

City Hall
Carlton B. Goodlett Place, Room 244
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Tel. No. 554-7724
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SUNSHINE ORDINANCE TASK FORCE COMPLAINT COMMITTEE MEETING AGENDA

Tuesday, July 14, 2009
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber
Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of June 9, 2009, regular meeting. (action) (attachment) (5 min)

2. 09030 Determination of jurisdiction on complaint filed by Ann Grogan against the Police Commission for allegedly not opening meeting to the public. (action item) (attachment)

3. 09032 Determination of jurisdiction on complaint filed by Dominic Maionchi against the Dept. of Rec and Park for allegedly withholding information. (action item) (attachment)

4. 09034 Determination of jurisdiction on complaint filed by Brian Tomina against the Dept. of Bldg. Inspection for allegedly not responding timely to an Immediate Disclosure Request. (action item) (attachment)

5. Administrator's Report. (attachment)

6. Public comment for items not listed on the agenda. (no action) (no attachment)

7. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment

Next regularly scheduled meeting: August 11, 2009

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
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SUNSHINE ORDINANCE TASK FORCE COMPLAINT COMMITTEE MEETING AGENDA

Tuesday, August 11, 2009
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber
Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.
Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of July 14, 2009, regular meeting. (action) (attachment) (5 min)

2. 09031 Determination of jurisdiction on complaint filed by Kenneth Kinnard against the Human Rights Commission for allegedly withholding information. (action item) (attachment)

3. 09038 Determination of jurisdiction on complaint filed by Annmarie Mabbutt against the Recreation and Park Department for failure to respond to an IDR. (action item) (attachment)

4. Administrator's Report. (attachment)

5. Public comment for items not listed on the agenda. (no action) (no attachment)

6. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next regularly scheduled meeting: Sept. 8, 2009**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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September 8, 2009

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MEETING AGENDA

Tuesday, September 8, 2009

3:30 p.m., City Hall, Room 406

CANCELLED

Next regularly scheduled meeting: Oct 13, 2009

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http://www.sfgov.org/sunshine/

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, October 13, 2009
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber
Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of August 11, 2009, regular meeting. (action) (attachment) (5 min)

2. 09051 Determination of jurisdiction on complaint filed by Marilyn Mollinedo against the Zoological Society for allegedly withholding meeting information. (action item) (attachment)

3. 09054 Determination of jurisdiction on complaint filed by Robert Garcia against the Entertainment Commission for failure to post notices according to code. (action item) (attachment)

4. Administrator's Report. (attachment)

5. Public comment for items not listed on the agenda. (no action) (no attachment)

6. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next regularly scheduled meeting: Nov. 10, 2009**

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THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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Persons wishing to comment at meetings of the Task Force and its committees are encouraged to fill out speaker cards to ensure accuracy of identification. This is not a requirement; speakers may remain anonymous.

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October 13, 2009

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MINUTES

Tuesday, October 13, 2009

3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Call to Order: 3:30 p.m.

Roll Call: Present: Goldman, Johnson, Knoebber

Agenda Changes: None

Deputy City Attorney: Jerry Threet

Clerk Chris Rustom

1 Approval of minutes of August 11, 2009, regular meeting

Motion approving minutes of August 11, 2009. (Knoebber / Johnson)

Public Comment: None

On the motion:

Ayes: Knoebber , Johnson, Goldman

2. 09051 Determination of jurisdiction on complaint filed by Marilyn Mollincelo against the Zoological Society for allegedly withholding meeting information

Complainant Marilyn Mollincelo said she requested copies of the agendas and minutes for the board and executive committee earlier this year and was told that the executive committee's agendas and minutes were no longer public documents. This follows the Society's admission in 2008 that it was responsible for Sunshine compliance. Also, she said, the agreement between the Society and the city states that the Society has to comply with all State and Federal rules including the California Public Records Act. And because the Board's handbook states that the executive committee may exercise the authority of the Board, all executive committee documents should be public documents, she added.

Respondent Edward Peel said the Zoological Society is a non-profit organization and is not connected to any city department. It is also not a policy making body and under the lease agreement, that authority is with the Joint Zoo Committee, which works under the Department of Recreation and Park, he said. The lease agreement has been in force since 1993 and according to the Admin Code it is only subject to 12L provisions which do not mention executive committees, he added.

DCA Tim Original said 67.4 (b) is also applicable to this case but most of all he needed to analyze the lease agreement and would be able to do so before the Task Force meeting

Member Knoebber said he sees the argument but would prefer to place the matter before the full Task Force.

Motion to find jurisdiction (Knoebber / Johnson)

Public Comment: None

On the motion:

Ayes: Knoebber , Johnson, Goldman

3 09054 Determination of jurisdiction on complaint filed by Robert Garcia against the Entertainment Commission for failure to post notices according to code.

Complainant Robert Garcia said he is withdrawing his complaint

4. Administrator's Report

Mr. Rustom made the report.

Public Comment: None

5. Public comment for items not listed on the agenda. None

6 Announcements, comments, questions and future agenda items from Committee members.

Member Johnson was told by Mr. Rustom that there has been no response from members over Task Force Chair Rick Knee's call on the San Francisco Community College District's advisor committee

Adjournment **The meeting adjourned at 3:44 p.m.**

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, November 10, 2009
3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of October 13, 2009, regular meeting. (action) (attachment) (5 min)

2. 09066 Determination of jurisdiction on complaint filed by Emil Lawrence against the Municipal Transportation Agency for allegedly cancelling meetings regarding taxi matters. (action item) (attachment)

3. Administrator's Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next regularly scheduled meeting: Dec. 8, 2009**

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each Item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be made a part of the official public record. (*Section 67.7-1 (c)*)

Persons wishing to comment at meetings of the Task Force and its committees are encouraged to fill out speaker cards to ensure accuracy of identification. This is not a requirement; speakers may remain anonymous.

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	(Above total speaking times for Complainant and City to be the same.)	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

Cell phones, pagers and similar sound-producing electronic devices: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE: Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Administrator by mail to: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at (415) 554-7724; by fax at (415) 554-7854; or by email at sotf@sfgov.org.

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November 10, 2009

SUNSHINE ORDINANCE TASK FORCE

COMPLAINT COMMITTEE

MINUTES

Tuesday, November 10, 2009

3:30 p.m., City Hall, Room 406

Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Call to Order 3:30 p.m.

Roll Call: Present: Goldman, Knoebber

Excused: Johnson

Agenda Changes: None

Deputy City Attorney: Jerry Threet

Clerk Chris Rustom

1 Approval of minutes of October 13, 2009, regular meeting

Motion to approve minutes (Knoebber/ Goldman)

Public Comment: None

On the motion:

Ayes: Knoebber/ Goldman

Excused: Johnson

2 09066 Determination of jurisdiction on complaint filed by Emil Lawrence against the Municipal Transportation Agency for allegedly cancelling meetings regarding taxi matters.

Complainant Emil Lawrence said he has been a taxi driver in San Francisco for 10 years, and has been very vocal on cab driver issues for the last five years. He said the MTA has since March 1, 2009, moved all taxi issues to the background, and has had unannounced meetings. He said San Francisco has 1,500 taxi cabs and 5,000 licensed drivers who do not have any say in the industry, which is dominated by medallion holders and taxi company owners. They, he said, get to discuss issues with City officials and no attention is being paid to the drivers' needs and wants.

Member Knoebber noted that the complainant has not provided physical proof that supported his claims.

Chair Goldman said the complainant's presentation has not shown that a violation of the Sunshine Ordinance had occurred and therefore could not find for jurisdiction.

Public Comment: David Pilpel said the frustration is because many are used to the Taxi Commission's approach to issues while the MTA is handling matters in a different way.

No action taken.

3 Administrator's Report

Mr. Rustom made the report..

Public Comment: None

4 Public comment for items not listed on the agenda: None

5 Announcements, comments, questions, and future agenda items from Committee members.

DCA Threet introduced DCA Frank Brass who would assist him in Sunshine matters when he is not available.

Adjournment **The meeting adjourned at 3:40 p.m.**

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SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
MEETING AGENDA

Tuesday, December 8, 2009
3:30 p.m., City Hall, Room 406

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Committee Members: Nick Goldman (Chair), Doyle Johnson, James Knoebber

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Committee to make presentations.

Call to Order, Roll Call, Agenda Changes

1. Approval of minutes of November 10, 2009, regular meeting. (action) (attachment) (5 min)

2. 09077 Determination of jurisdiction on complaint filed by Melvyn Banks against the Department of Public Health for allegedly creating and implementing policies procedures, and forms without public comment and/or scrutiny (action item) (attachment)

3. Administrator's Report. (attachment)

4. Public comment for items not listed on the agenda. (no action) (no attachment)

5. Announcements, comments, questions, and future agenda items from Committee members. (no attachment)

Adjournment **Next regularly scheduled meeting: Jan. 12, 2009**

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SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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